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United Nations

Report of the Human Rights Committee

114th session
(29 June-24 July 2015)

115th session
(19 October-6 November 2015)

116th session
(7-31 March 2016)

General Assembly
Official Records
Seventy-first session
Supplement No. 40 (A/71/40)

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Note

Symbols of United Nations documents are composed of letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Summary

The present annual report covers the period from 3 April 2015 to 31 March 2016 and the 114th, 115th and 116th sessions of the Human Rights Committee. In total, there are 168 States parties to the Covenant, 115 to the Optional Protocol and 81 to the Second Optional Protocol.

During the period under review, the Committee considered 21 States parties' reports submitted under article 40 and adopted concluding observations on them (114th session: Canada; France; Spain; the former Yugoslav Republic of Macedonia; United Kingdom of Great Britain and Northern Ireland; United Kingdom of Great Britain and Northern Ireland (Crown Dependencies); United Kingdom of Great Britain and Northern Ireland (Overseas Territory); Uzbekistan and Venezuela (Bolivarian Republic of); 115th session: Austria; Benin; Greece; Iraq; Republic of Korea; San Marino; and Suriname; 116th session: Costa Rica; Namibia; New Zealand; Rwanda; Slovenia; South Africa; and Sweden (see paragraph 15 below on concluding observations).

Under the Optional Protocol procedure, the Committee adopted 68 Views on communications, and declared 23 communications inadmissible. Consideration of communications was discontinued in 18 cases. So far, 2,759 communications have been registered since the entry into force of the Optional Protocol to the Covenant, including 166 since the writing of the previous report (see paragraphs 24-26 below on Optional Protocol decisions).

The Special Rapporteur for follow-up on concluding observations, Sarah Cleveland, and the Deputy Special Rapporteur for follow-up on concluding observations, Yadh Ben Achour, presented interim reports during the Committee's 114th, 115th and 116th sessions. The Special Rapporteur for follow-up on Views, Víctor Manuel Rodríguez-Rescia, presented progress reports at the 115th and 116th sessions.

The Committee again deplores the fact that a large number of States parties do not comply with their reporting obligations under article 40 of the Covenant. Forty-seven States parties are currently at least five years overdue with either an initial or periodic report.

During the 115th session, the Chair absented himself for two days to attend the interactive dialogue with the General Assembly in New York on 20 October 2015 (see paragraph 49 below).

Finally, recalling the obligation of the Secretary-General under article 36 of the International Covenant on Civil and Political Rights, the Committee reaffirms its grave concern over the lack of sufficient staff resources and translation services that hampers its activities. Once again, it stresses the importance of providing the Secretariat with the necessary resources to support its work effectively. The Committee appreciates the decision of the General Assembly to adopt resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body process system, including provision for the two and a half extra weeks of meeting time the Committee received for the calendar year 2015. However, it regrets that insufficient human resources were provided to the Committee to ensure full implementation of that resolution (see paragraphs 43-45 below).

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I. Jurisdiction and activities

A. States parties to the International Covenant on Civil and Political Rights and to the Optional Protocols

1. At the end of the 116th session of the Human Rights Committee, there were 168 States parties to the International Covenant on Civil and Political Rights and 115 States parties to the First Optional Protocol to the Covenant. Both instruments have been in force since 23 March 1976. The Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty, entered into force on 11 July 1991. As at 30 March 2016, there were 81 States parties to the Optional Protocol.

2. Since the previous report, there have been no new accessions to the Covenant or its Optional Protocols.

3. As at 30 March 2016, 50 States had made the declaration provided for under article 41 (1) of the Covenant. In this connection, the Committee appeals to States parties to make the declaration under article 41 of the Covenant and to consider using this mechanism with a view to making implementation of the provisions of the Covenant more effective.

4. All information on the status of the treaties, including reservations and declarations made by States parties, can be accessed at the following link: https://treaties.un.org/Pages/Treaties.aspx?id=4&subid=A&lang=en.

B. Sessions of the Committee

5. The Committee has held three sessions since the adoption of its previous annual report. The 114th session was held from 29 June to 24 July 2015, the 115th session from 19 October to 6 November 2015 and the 116th session from 7 to 31 March 2016. All sessions were held at the United Nations Office at Geneva.

C. Election of officers

6. On 16 March 2015, the Committee elected the following officers for a term of two years, in accordance with article 39 (1) of the Covenant (for a list of the Committee members, see annex I):

Chair:	Fabián Omar Salvioli
Vice-Chairs:	Yuji Iwasawa Anja Seibert-Fohr Dheerujlall Seetulsingh
Rapporteur:	Konstantine Vardzelashvili

7. During the 114th, 115th and 116th sessions, the Bureau of the Committee held 11 meetings. Pursuant to the decision taken at the seventy-first session, the Bureau records its decisions in formal minutes, which are kept as a record of all decisions taken.

D. Special Rapporteurs

8. The Special Rapporteur on new communications and interim measures, Nigel Rodley, and the co-rapporteur, Yuval Shany, registered 166 communications during the

reporting period and transmitted them to the States parties concerned, and issued 38 decisions calling for interim measures of protection pursuant to rule 92 of the Committee's rules of procedure.

9. The Special Rapporteur for follow-up on Views, Víctor Manuel Rodríguez-Rescia, the Special Rapporteur for follow-up on concluding observations, Sarah Cleveland, and the Deputy Special Rapporteur for follow-up on concluding observations, Yadh Ben Achour, continued to carry out their functions during the reporting period.

E. Working Group on Communications and country report task forces

10. Country report task forces met during the 114th, 115th and 116th sessions to consider and adopt lists of issues on the reports of Azerbaijan, Bangladesh, Burkina Faso, Colombia, Costa Rica, Ghana, Jamaica, Kazakhstan, Kuwait, Morocco, Namibia, Rwanda, Slovakia, Slovenia and South Africa. Task forces also adopted lists of issues prior to reporting, under the simplified reporting procedure, on Belarus, Bosnia and Herzegovina, Bulgaria, El Salvador, Estonia, Guatemala and Hungary.

11. At the 114th session, the Working Group on Communications was composed of Mr. Lazhari Bouzid, Mr. Ben Achour, Mr. Olivier de Frouville, Mr. Rodríguez-Rescia and Ms. Margo Waterval. Ms. Waterval was designated Chair-Rapporteur. The Working Group met from 22 to 26 June 2015.

12. At the 115th session, the Working Group on Communications was composed of Mr. Bouzid, Ms. Cleveland, Mr. de Frouville, Mr. Iwasawa, Mr. Rodríguez-Rescia, Mr. Seetulsingh, Mr. Shany, Mr. Vardzelashvili and Ms. Waterval. Mr. Iwasawa was designated Chair-Rapporteur. The Working Group met from 12 to 16 October 2015.

13. At the 116th session, the Working Group on Communications was composed of Mr. Ben Achour, Ms. Cleveland, Mr. Iwasawa, Ms. Photini Pazartzis, Mr. Rodríguez-Rescia, Ms. Seibert-Fohr, Mr. Vardzelashvili and Ms. Waterval. Mr. Vardzelashvili was designated Chair-Rapporteur. The Working Group met from 29 February to 4 March 2016.

F. Derogations pursuant to article 4 of the Covenant

14. Article 4 (1) of the Covenant stipulates that, in time of public emergency which threatens the life of the nation, States parties may take measures derogating from certain of their obligations under the Covenant. Pursuant to article 4 (2), no derogation is allowed from articles 6, 7, 8 (1 and 2), 11, 15, 16 and 18. Pursuant to article 4 (3), any derogation must be immediately notified to the other States parties through the intermediary of the Secretary-General. A further notification is required upon the termination of the derogation.[1] During the period covered by the present report, the following States made derogations under the Covenant: France, Peru and Ukraine. All such notifications are available from the website of the Office of Legal Affairs (http://treaties.un.org).

[1] See *Official Records of the General Assembly, Sixtieth Session, Supplement No. 40*, vol. I (A/60/40 (vol. I)), chap. I, para. 28.

G. Concluding observations and follow-up to concluding observations

15. Since its forty-fourth session, held in March 1992,[2] the Committee has adopted concluding observations. It takes the concluding observations as a starting point in the preparation of the list of issues for the consideration of the subsequent State party report. During the period under review, concluding observations were adopted on 20 States parties. At its 114th session, the Committee adopted concluding observations on Canada (CCPR/C/CAN/CO/6), France (CCPR/C/FRA/CO/5), Spain (CCPR/C/ESP/CO/6), the former Yugoslav Republic of Macedonia (CCPR/C/MKD/CO/3), the United Kingdom of Great Britain and Northern Ireland (CCPR/C/GBR/CO/7), Uzbekistan (CCPR/C/UZB/CO/4) and Venezuela (Bolivarian Republic of) (CCPR/C/VEN/CO/4). At its 115th session, the Committee adopted concluding observations on Austria (CCPR/C/AUT/CO/5), Benin (CCPR/C/BEN/CO/2), Greece (CCPR/C/GRC/CO/2), Iraq (CCPR/C/IRQ/CO/5), the Republic of Korea (CCPR/C/KOR/CO/4), San Marino (CCPR/C/SMR/CO/3) and Suriname (CCPR/C/SUR/CO/3). At its 116th session, the Committee adopted concluding observations on Costa Rica (CCPR/C/CRI/CO/6), Namibia (CCPR/C/NAM/CO/2), New Zealand (CCPR/C/NZL/CO/6), Rwanda (CCPR/C/RWA/CO/4), Slovenia (CCPR/C/SVN/CO/3), South Africa (CCPR/C/ZAF/CO/1) and Sweden (CCPR/C/SWE/CO/7). Those concluding observations are available from the website of the Office of the United Nations High Commissioner for Human Rights (OHCHR) under "Human rights bodies/Treaty bodies/Treaty bodies database" (www2.ohchr.org) and from the Official Document System of the United Nations (http://documents.un.org) under the symbols indicated.

16. At its seventy-fourth session, the Committee adopted decisions spelling out the modalities for following up on concluding observations.[3] The Committee invites the State party to report to it within a specified period regarding its follow-up to the Committee's recommendations, indicating what steps, if any, it has taken. The responses received are thereafter examined by the Committee's Special Rapporteur for follow-up on concluding observations. Since its seventy-sixth session, the Committee has, as a rule, examined the progress reports submitted by the Special Rapporteur on a sessional basis.

17. During its 108th session, the Committee adopted a note on the procedure for follow-up to concluding observations (CCPR/C/108/2). The note defines the rules and guidelines on the development of the follow-up process and is aimed at systematizing the practice developed.

18. During the period under review, the Special Rapporteur and the Deputy Special Rapporteur for follow-up on concluding observations submitted interim reports to the Committee during the 114th, 115th and 116th sessions.

19. During the 112th session, and given the difficulties the Special Rapporteur had in keeping within the word limit for reports on follow-up to concluding observations, the Committee decided to revert to the practice of preparing and adopting a report at each session (as opposed to two reports annually). During the period under review, follow-up comments were received from States parties. Follow-up information was also received from non-governmental organizations.

20. All information on follow-up to concluding observations, including follow-up reports, can be found on the OHCHR website at http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/FollowUp.aspx?Treaty=CCPR&Lang=en.

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[2] Ibid., *Forty-seventh Session, Supplement No. 40* (A/47/40), chap. I, sect. E, para. 18.

[3] Ibid., *Fifty-seventh Session, Supplement No. 40* (A/57/40), vol. I, annex III, sect. A.

H. Communications and follow-up to Views

21. Individuals who claim that their rights under the Covenant have been violated by a State party and who have exhausted all available domestic remedies may submit written communications to the Committee for consideration under the Optional Protocol. No communication can be considered unless it concerns a State party to the Covenant that has recognized the competence of the Committee by becoming a party to the Optional Protocol.

22. Consideration of communications under the Optional Protocol is confidential and takes place in closed meetings (art. 5 (3)). The Committee's final decisions (Views, decisions declaring a communication inadmissible, decisions to discontinue the consideration of a communication) are made public; the names of the authors are disclosed unless the Committee decides otherwise at the request of the authors.

23. An overview of States parties' obligations under the Optional Protocol is contained in the Committee's general comment No. 33 (2008) on the obligations of States parties under the Optional Protocol to the International Covenant on Civil and Political Rights.

1. Progress of work

24. The Committee started its work under the Optional Protocol at its second session, in 1977. Since then, 2,759 communications concerning 92 States parties have been registered for consideration by the Committee, of which 166 were registered during the period covered by the present report. At present, the status of the 2,759 registered communications is as follows:

(a) Consideration concluded by the adoption of Views under article 5 (4) of the Optional Protocol: 1,156, in 975 of which violations of the Covenant were found;

(b) Declared inadmissible: 668;

(c) Discontinued or withdrawn: 386;

(d) Not yet concluded: 540.

25. At its 114th, 115th and 116th sessions, the Committee adopted Views on 68 cases and concluded the consideration of 23 cases by declaring them inadmissible. The Views and final decisions adopted by the Committee at those sessions are available through the treaty body case law database (http://juris.ohchr.org/), as well as from the details on jurisprudence available on the OHCHR website (per session) (www.ohchr.org/EN/HRBodies/CCPR/Pages/Jurisprudence.aspx). They are also accessible through the treaty body database on the OHCHR website (www2.ohchr.org) and from the Official Document System of the United Nations (http://documents.un.org).

26. The Committee decided to discontinue the consideration of 18 communications for such reasons as withdrawal by the author, or because the author or counsel failed to respond to the Committee despite repeated reminders, or because the authors, who had expulsion orders pending against them, were allowed to stay in the countries concerned.

27. The table below sets out the pattern of the Committee's work on communications over the past six years (communications dealt with from 2010 to 31 December 2015).

Year	*New cases registered*	*Cases concluded*	*Pending cases at 31 December*
2015	196	101	532
2014	191	124	456
2013	93	72	379

Year	*New cases registered*	*Cases concluded*[a]	*Pending cases at 31 December*
2012	102	99	355
2011	106	188	352
2010	96	94	434

[a] Total number of cases decided (by the adoption of Views, inadmissibility decisions and decisions to discontinue consideration).

28. By the date of adoption of the present report (30 March 2016), some 88 communications were ready for a Committee's decision on admissibility and/or the merits.

2. Approaches to considering communications under the Optional Protocol

(a) Special Rapporteur on new communications and interim measures

29. At its thirty-fifth session, in March 1989, the Committee decided to designate a special rapporteur authorized to process new communications and requests for interim measures as they were received, i.e. between sessions of the Committee. During the 114th, 115th and 116th sessions, the Special Rapporteur on new communications and interim measures and the co-rapporteur continued their activities. In the period covered by the present report, 166 new communications were transmitted to States parties under rule 97 of the Committee's rules of procedure, requesting information or observations relevant to questions of admissibility and the merits. In 38 cases, the Special Rapporteur issued requests for interim measures pursuant to rule 92 of the Committee's rules of procedure.

30. The methods of work of the Special Rapporteur were approved by the Committee at its 110th session (CCPR/C/110/3).

(b) Competence of the Working Group on Communications

31. At its thirty-sixth session, in July 1989, the Committee decided to authorize the Working Group on Communications to adopt decisions declaring communications admissible when all members of the Working Group so agreed. Failing such agreement, the Working Group refers the matter to the Committee. It also does so whenever it believes that the Committee itself should decide the question of admissibility. The Working Group can also adopt decisions declaring communications inadmissible if all members so agree. However, the decision will be transmitted to the Committee in plenary, which may confirm it without formal discussion or examine it at the request of any Committee member.

3. Individual opinions

32. In its work under the Optional Protocol, the Committee seeks to adopt decisions by consensus. However, pursuant to rule 104 of the Committee's rules of procedure, members can add their individual opinions (concurring or dissenting) to the Committee's Views. Under this rule, members can also append their individual opinions to the Committee's decisions declaring communications admissible or inadmissible.

33. During the period under review, individual opinions were appended to the Committee's Views and decisions concerning 28 cases.

4. Cooperation by States parties in the examination of communications

34. In several cases decided during the period under review, the Committee noted that States parties had failed to cooperate in the procedure by not providing observations on the admissibility and/or the merits of the authors' allegations. The States parties in question are

Belarus (13 cases), Belgium (1 case) and the Democratic Republic of the Congo (1 case). The Committee deplored the situation and recalled that it was implicit in the Optional Protocol that States parties should transmit to the Committee all information at their disposal. In the absence of a reply, due weight has to be given to the author's allegations, to the extent that they have been properly substantiated.

35. In two cases against Belarus and one case against the Russian Federation decided during the period under review, the Committee noted with regret that the States parties had failed to respect the Committee's request for interim measures. The Committee recalled that a State party commits grave breaches of its obligations under the Optional Protocol if its inaction serves to prevent or frustrate consideration by the Committee of a communication alleging a violation of the Covenant or to render examination by the Committee moot and the expression of its Views nugatory and futile.

5. Issues considered by the Committee

36. A review of the Committee's work under the Optional Protocol from its second session in 1977 to its 113th session in March 2015 can be found in the Committee's annual reports from 1984 to 2015 and CCPR/C/113/4 (available in English only), which contain summaries of the procedural and substantive issues considered by the Committee and of the decisions taken. A chapter on the jurisprudential developments of the Committee during the period under review is not contained in the present annual report but in CCPR/C/116/3 (available in English only). The full texts of the Views adopted by the Committee and of its decisions declaring communications inadmissible under the Optional Protocol are available in the treaty body database (http://juris.ohchr.org).

6. Follow-up to Views

37. During the period under review, the Special Rapporteur for follow-up on Views, Mr. Rodríguez-Rescia, submitted reports at the 115th (see CCPR/C/115/3) and 116th sessions. Owing to time constraints, the Committee did not adopt the report on follow-up to Views presented by the Special Rapporteur at its 116th session.

38. To date, the Committee has concluded that there has been a violation of the Covenant in 975 of the 1,156 Views adopted since 1979. The Committee has continued its practice, initiated on a trial basis at its 109th session, to include in its reports on follow-up to Views an assessment of the replies received from or action taken by States parties; the assessment uses the criteria established for the follow-up procedure to the concluding observations. The Committee again notes that many States parties have failed to implement the Views adopted under the Optional Protocol.

39. During the reporting period, the Committee continued to seek the implementation of its Views through its Special Rapporteur for follow-up on Views. Meetings were arranged with representatives of Bosnia and Herzegovina, Libya, the Philippines, Spain and Sri Lanka so that the Committee could engage in a dialogue with them on the measures taken to give effect to its Views.

40. At its 115th and 116th session, the Committee decided to close the follow-up dialogue with a note of satisfactory implementation of its recommendations in communications No. 238/1987, *Bolaños v. Ecuador*, No. 1908/2009, *X v. Republic of Korea*, and No. 2007/2010, *X v. Denmark*. In case No. 1756/2008, *Zhumabaeva v. Kyrgyzstan*, the Committee decided to resume the follow-up dialogue, which had been suspended at the 112th session.

I. General comments under article 40 (4) of the Covenant

41. At its 114th session, the Committee held a half-day of discussion on article 6 (right to life) on the basis of a note adopted at the previous session by the rapporteurs, Mr. Rodley and Mr. Shany. The discussion attracted over 100 non-governmental organizations and 40 speakers on a variety of themes, among them abortion, the death penalty, the interplay between economic, social and cultural rights on the one hand and political and civil rights on the other hand, and the right to life and different areas of law, including international humanitarian law and the International Criminal Court. The reports provided by civil society for the event are available from www.ohchr.org/EN/HRBodies/CCPR/Pages/GC36-Article6Righttolife.aspx.

42. At its 115th session, the Committee started to review its draft general comment on article 6 (right to life). At its 116th session, the Committee continued its review of the draft.

J. Staff resources and translation of official documents

43. In accordance with article 36 of the Covenant, the Secretary-General is obliged to provide the Committee with the necessary staff and facilities for the effective performance of its functions. The Committee reaffirms its concern regarding the shortage of staff resources and stresses once again the importance of allocating adequate staff resources to service its sessions and to promote greater awareness, understanding and implementation of its recommendations at the national level. The Committee stresses the fact that, unless there would be a significant increase in the staff capacity of the Petitions Unit to process individual communications, the Committee's ability to address its backlog in that regard will continue to be seriously compromised. Furthermore, the Committee expresses grave concern that general rules within the United Nations concerning staff mobility in the Secretariat may hamper the work of the Committee, in particular for staff working in the Petitions Unit, who need to remain in their positions for a sufficiently long period so as to acquire experience and knowledge regarding the jurisprudence of the Committee.

44. The Committee is grateful to the General Assembly for the adoption of resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, including the provision for the two and a half extra weeks of meeting time that the Committee received for the calendar years 2015 and 2016. It regrets, however, that insufficient human resources were provided to the Committee to ensure full implementation of the resolution. In particular, due to a shortage of human resources available for the Secretariat to carry out preparatory work necessary for the review of an additional number of communications, the Committee was not able to avail itself of some of the additional meeting days granted by the General Assembly.

45. The Committee reaffirms its deep concern that, despite having the requisite mandate and financial entitlement to have its replies to the lists of issues translated, there remains limited availability of these documents during its sessions. It also expresses concern that, during the 116th session, the draft report of the Special Rapporteur for follow-up on concluding observations and the draft report of the Special Rapporteur for follow-up on Views under the first Optional Protocol to the Covenant were available in only one of the Committee's working languages, namely English, on account that there is no explicit mandate for the translation of the documents in question — although these had been translated regularly in the past. The Committee stresses that follow-up is an essential part of its activities and the lack of translations directly affected the quality of the Committee's work. The Committee therefore adopts the following formal decision on translation of the follow-up reports and draft documents, to be reflected in its annual report:

Any draft document relating to the Committee's activities under the Covenant and requiring discussion and adoption by the Committee, including any document related to reporting (such as draft concluding observations, draft lists of issues, draft lists of issues prior to reporting, and draft reports on follow-up to concluding observations), individual and inter-State communications (such as draft views and draft reports on follow-up to Views), legal interpretations (such as draft general comments) and working and other matters (such as draft annual reports, draft rules of procedure and draft guidelines) must be translated into the working languages of the Committee.

K. Publicity for the work of the Committee

46. At its ninety-fourth session, the Committee adopted a paper on a strategic approach to public relations with the media (CCPR/C/94/3).

47. During the 115th and 116th sessions, the Centre for Civil and Political Rights continued to webcast the examination of all States parties' reports as well as other public meetings of interest. Unfortunately, the Centre was not in a position to webcast the examinations of reports held during the 114th session, except those involving Uzbekistan and the Bolivarian Republic of Venezuela. The webcast may be viewed at the following link: www.treatybodywebcast.org.

48. The Committee continued to develop a robust media strategy, which included holding well-attended press conferences at the end of each session (with the exception of the 116th session held in March 2016). The Committee is grateful for the invaluable assistance of the new communications officer. A significant number of articles on all of the countries examined during the period under review, as well as requests for interviews, resulted from these endeavours.

L. Submission of the Committee's annual report to the General Assembly

49. During the 115th session, the Chair attended the interactive dialogue with the General Assembly in New York on 20 October 2015, at which time he presented the Committee's annual report.

M. Adoption of the report

50. At its 3263rd meeting, on 30 March 2016, the Committee considered the draft of its fortieth annual report, covering its activities at its 114th, 115th and 116th sessions, held in 2015 and 2016. The report, as amended in the course of the discussion, was adopted unanimously. By virtue of its decision 1985/105 of 8 February 1985, the Economic and Social Council authorized the Secretary-General to transmit the Committee's annual report directly to the General Assembly.

II. Methods of work of the Committee under article 40 of the Covenant and cooperation with other United Nations bodies

51. The present section contains a summary and an explanation of the modifications introduced by the Committee to its working methods under article 40 of the Covenant during the past year, as well as recent decisions adopted by the Committee on follow-up to its concluding observations on State party reports.

A. Recent developments and decisions on procedures

52. At its 116th session, the Committee decided to introduce a new standard paragraph in its concluding observations, inviting States that have not yet done so to accept the simplified reporting procedure.

53. At its 116th session, the Committee decided to introduce an expedited procedure for repetitive communications as a pilot project for a period of one year to address the growing backlog of pending communications and to appoint two co-rapporteurs to handle repetitive communications.

54. At its 116th session, the Committee established the Working Group for the revision of the rules of procedure, with the following composition: Mr. Seetulsingh, Mr. Shany, Ms. Cleveland, Ms. Pazartzis and Mr. de Frouville.

1. Focused reports based on lists of issues prior to reporting

55. In October 2009, the Committee decided to make a new reporting procedure available to a limited number of States parties. At its 111th session (July 2014), the Committee decided that the simplified reporting procedure should be in principle offered to all States parties and should remain applicable to periodic reports only (see A/70/40, para. 56 (a)). Information on the procedure can be found at www.ohchr.org/EN/HRBodies/CCPR/Pages/SimplifiedReportingProcedure.aspx.

56. At its 115th and 116th sessions, the Committee examined the sixth periodic report of New Zealand, the third periodic report of San Marino and the seventh periodic report of Sweden, all submitted pursuant to the simplified reporting procedure. At its 114th session, the Committee adopted lists of issues prior to reporting with respect to the fourth periodic report of Bulgaria, the fifth periodic report of Belarus and the seventh periodic report of El Salvador. At its 115th session, it adopted lists of issues prior to reporting with respect to the third periodic report of Bosnia and Herzegovina, the fourth periodic report of Guatemala and the sixth periodic report of Hungary. At its 116th session, it did the same in respect of the fourth periodic report of Estonia.

2. Cooperation with national human rights institutions and non-governmental organizations

57. At its 104th session, the Committee adopted a paper on its collaboration with non-governmental organizations (CCPR/C/104/3).

58. At its 106th session, the Committee adopted a similar paper on its collaboration with national human rights institutions (CCPR/C/106/3).

3. Mandate of the Special Rapporteur on new communications and interim measures

59. At its 110th session, the Committee adopted a note on the mandate of the Special Rapporteur on new communications and interim measures (CCPR/C/110/3).

4. Kosovo[4]

60. At its 116th session, the Committee decided, based on its concluding observations on the second periodic report of Serbia (see CCPR/C/SRB/CO/2, para. 3), adopted on 29 March 2011, to reiterate its letter dated 19 May 2011, requesting the United Nations Interim Administration Mission in Kosovo to provide it, in cooperation with the institutions of Kosovo, and without prejudice to the final legal status of Kosovo, with a report on the human rights situation in Kosovo since July 2006.

5. South Sudan

61. At its 116th session, the Committee, bearing in mind that South Sudan became independent in July 2011, decided to reiterate its letter dated 1 November 2013 to the State party, recalling that, in the light of its general commem No. 26 (1997) on issues relating to the continuity of obligations to the International Covenant on Civil and Political Rights,[5] the people of South Sudan remain under the protection of the Covenant, and inviting South Sudan to submit an initial report under article 40 (1) (a) of the Covenant.

B. Links to other bodies

62. During its 115th session, the Committee held its fifth meeting with the Committee on the Elimination of Discrimination against Women, whose session overlapped with that of the Human Rights Committee. The meeting gave the members of both Committees an opportunity to continue their discussion on how they consider issues of reproductive health, in particular abortion. The Committee is very grateful to the Geneva Academy of International Humanitarian and Human Rights Law for having supported the meeting through its treaty body platform.

[4] All references to Kosovo in the present publication should be understood in compliance with Security Council resolution 1244 (1999).

[5] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 40*, vol. I (A/53/40 (Vol. I)), annex VII.

III. Submission of reports by States parties under article 40 of the Covenant

63. In line with the guidelines adopted by the Committee at its sixty-sixth session and amended at its seventieth session (CCPR/C/66/GUI/Rev.2), the five-year periodicity in reporting, which the Committee had established at its thirteenth session, in July 1981 (CCPR/C/19/Rev.1), was replaced by a flexible system whereby the date for the subsequent periodic report by a State party is set on a case-by-case basis at the end of the Committee's concluding observations on any report, in accordance with article 40 of the Covenant and in the light of the guidelines for reporting and the working methods of the Committee. The Committee confirmed this approach in its current guidelines, adopted at the ninety-ninth session (CCPR/C/2009/1).

64. At its 104th session, the Committee decided to allow States parties to submit reports at intervals of no more than six years.

65. At its 114th session, the Committee decided that, in considering the periodicity for submitting reports, it will take into account whether the States parties in question have agreed to follow the simplified reporting procedure. Given the long administrative delay in the processing of reports and lists of issues under the regular, as opposed to the simplified, reporting procedure, the Committee will seek to ensure fairness when deciding on the periodicity for the submission of future reports.

A. Reports submitted to the Secretary-General from April 2015 to 31 March 2016

66. During the period covered by the present report, 18 reports were submitted to the Secretary-General by the following States parties: Argentina (fifth periodic report), Bangladesh (initial report), Bosnia and Herzegovina (third periodic report), Denmark (sixth periodic report), Ecuador (sixth periodic report), Honduras (second periodic report), Italy (sixth periodic report), Liechtenstein (second periodic report), Madagascar (fourth periodic report), Mongolia (sixth periodic report), New Zealand (sixth periodic report), Pakistan (initial report), Poland (seventh periodic report), Republic of Moldova (third periodic report), Serbia (third periodic report), Slovakia (fourth periodic report), Sweden (seventh periodic report) and Turkmenistan (second periodic report).

B. Overdue reports and non-compliance by States parties with their obligations under article 40

67. The Committee wishes to reiterate that States parties to the Covenant must submit the reports referred to in article 40 of the Covenant on time so that the Committee can duly perform its functions under that article. Regrettably, serious delays have been noted since the establishment of the Committee.

68. The Committee notes with concern that the failure of States parties to submit reports hinders the performance of its monitoring functions under article 40 of the Covenant. The Committee reiterates that States with overdue reports are in default of their obligations under article 40 of the Covenant (see annex II for the list of States parties with overdue reports).

69. The Committee draws particular attention to the fact that 21 initial reports are overdue, of which 7 are overdue between 5 and 10 years and 11 are overdue by 10 years or more. The result is frustration of a crucial objective of the Covenant, namely, to enable the

Committee to monitor compliance by States parties with their obligations under the Covenant on the basis of periodic reports. The Committee addresses reminders at regular intervals to all those States parties whose reports are significantly overdue.

70. Owing to the concern of the Committee about the number of overdue reports and non-compliance by States parties with their obligations under article 40 of the Covenant,[6] amendments to the rules of procedure were formally adopted during the seventy-first session, in March 2001.[7] The Committee has applied the revised rules since the end of the seventy-first session (April 2001).

71. The amendments introduced a procedure to be followed when a State party has failed to honour its reporting obligations for a long time, or requests a postponement of its scheduled appearance before the Committee at short notice. In both situations, the Committee may henceforth notify the State concerned that it intends to consider, from material available to it, the measures adopted by that State party to give effect to the provisions of the Covenant, even in the absence of a report.

72. At its 103rd session, the Committee amended its rules of procedure (rules 68 and 70) relating to the examination of country situations in the absence of a report (review procedure).[8] Since 2012, the examination of such country situations takes place in public rather than closed sessions and the resulting concluding observations are also issued as public documents.

73. The Committee first applied the procedure under rule 70 of its rules of procedure to a non-reporting State at its seventy-fifth session. To date, the procedure to examine States parties in the absence of a report has been initiated with regard to the following 21 States parties: Bangladesh, Barbados, Belize, Cabo Verde, the Central African Republic, Côte d'Ivoire, Dominica, Equatorial Guinea, Gambia, Grenada, Haiti, Kenya, Malawi, Mozambique, Nicaragua, Rwanda, Saint Vincent and the Grenadines, San Marino, Seychelles, South Africa and Suriname. Information on all States parties examined under this procedure up until the 110th session is contained in the annual report to the sixty-ninth session.[9]

74. Prior to its 112th session, the Committee indicated to South Africa that it would adopt a list of issues in the absence of a report from that State party during the 112th session. On 26 November 2014, South Africa submitted its report and the adoption of a list of issues was rescheduled. A note verbale was also sent to Bangladesh indicating that the Committee would adopt a list of issues in the absence of a report at the 112th session. Following a commitment by Bangladesh to provide the Committee with a report by March 2015, the Committee deferred consideration of the situation of civil and political rights in Bangladesh until receipt of the report. Bangladesh submitted its report on 19 June 2015.

C. Periodicity with respect to States parties' reports examined during the period under review

75. At its 104th session, the Committee decided to allow States parties to submit reports at intervals of no more than six years. Thus, the Committee may now ask States parties to

[6] Ibid., *Fifty-first Session, Supplement No. 40*, vol. I (A/51/40 (vol. I)), chap. III, sect. B, and ibid., *Fifty-seventh Session, Supplement No. 40* (A/57/40), chap. III, sect. B.

[7] Ibid., *Fifty-sixth Session, Supplement No. 40* (A/56/40), vol. I, annex III, sect. B. The revised rules were confirmed in the amended rules of procedure adopted at the 103rd session.

[8] Ibid., *Sixty-seventh Session, Supplement No. 40*, vol. I (A/67/40 (vol. I)), chap. II, para. 64.

[9] Ibid., *Sixty-ninth Session, Supplement No. 40*, vol. I (A/69/40 (vol. I)), chap. III, paras. 101-117.

submit their subsequent periodic reports within three, four, five or six years. At its 114th session, the Committee decided that, when determining the periodicity for future reports, States submitting reports under the simplified reporting procedure be given an extra year to provide their reports as compared to those submitting under the standard reporting procedure, with a view to ensuring fairness between States parties making use of the different procedures. Accordingly, the Committee may now ask States parties submitting reports under the simplified reporting procedure to provide their periodic reports at intervals of no more than seven years (i.e., the maximum six years allowed under the standard reporting procedure plus an extra year).

76. The dates of examination of the State party reports considered during the period under review and the due date for the next reports are indicated in the table below.

State party	*Date of examination*	*Due date for next report*
Canada	July 2015	24 July 2020
France	July 2015	24 July 2020
Spain	July 2015	24 July 2020
The former Yugoslav Republic of Macedonia	July 2015	24 July 2020
United Kingdom of Great Britain and Northern Ireland	July 2015	24 July 2020
Uzbekistan	July 2015	24 July 2018
Venezuela (Bolivarian Republic of)	July 2015	24 July 2018
Austria	October 2015	6 November 2021
Benin	October 2015	6 November 2019
Greece	October 2015	6 November 2020
Iraq	October 2015	6 November 2018
Republic of Korea	October 2015	6 November 2019
San Marino	October 2015	6 November 2022[a]
Suriname	October 2015	6 November 2020
Costa Rica	March 2016	31 March 2021
Namibia	March 2016	31 March 2020
New Zealand	March 2016	31 March 2023[a]
Rwanda	March 2016	31 March 2019
Slovenia	March 2016	31 March 2021
South Africa	March 2016	31 March 2020
Sweden	March 2016	31 March 2023[a]

[a] The due date for next report includes one extra year added to the periodicity on account of reporting under the simplified reporting procedure.

Annex I

Members and officers of the Human Rights Committee, 2015-2016

Name	*Country of nationality*[a]	*Term ends 31 December*
Yadh Ben Achour	Tunisia	2018[b]
Lazhari Bouzid	Algeria	2016[c]
Sarah Cleveland	United States of America	2018[b]
Ahmed Amin Fathalla	Egypt	2016[c]
Olivier de Frouville	France	2018[b]
Ivana Jelić	Montenegro	2018[b]
Yuji Iwasawa	Japan	2018[b]
Duncan Laki Muhumuza	Uganda	2018[b]
Photini Pazartzis	Greece	2018[b]
Mauro Politi	Italy	2018[b]
Nigel Rodley	United Kingdom of Great Britain and Northern Ireland	2016[c]
Víctor Manuel Rodríguez-Rescia	Costa Rica	2016[c]
Dheerujlall Seetulsingh	Mauritius	2016
Fabián Omar Salvioli	Argentina	2016[c]
Anja Seibert-Fohr	Germany	2016[c]
Yuval Shany	Israel	2016[c]
Konstantine Vardzelashvili	Georgia	2016[c]
Margo Waterval	Suriname	2018[b]

Note: Information on current and past membership of the Committee can be found at www.ohchr.org/EN/HRBodies/CCPR/Pages/Membership.aspx.

[a] In accordance with article 28 (3) of the International Covenant on Civil and Political Rights, the members of the Committee shall be elected and shall serve in their personal capacity.

[b] Member elected during the 34th meeting of States parties, held in New York on 24 June 2014.

[c] Member elected during the 32nd meeting of States parties, held in New York on 6 September 2012.

The officers of the Committee, elected for a term of two years at the meeting, on 16 March 2015 (113th session), are the following:

Chair:	Fabián Omar Salvioli
Vice-Chairs:	Yuji Iwasawa Dheerujlall Seetulsingh Anja Seibert-Fohr
Rapporteur:	Konstantine Vardzelashvili

Annex II

Status of submission of reports under article 40 of the Covenant (as at 31 March 2016)

A. States parties the initial report of which is overdue (21 States parties)

	State party	*Date due*	*Years overdue*	*Considered in the absence of a report*	*Remarks*
1.	Equatorial Guinea	24 December 1988	27	Seventy-ninth session (October 2003)	Deadline in concluding observations to submit initial report by 1 August 2004
2.	Somalia	23 April 1991	24		
3.	Grenada	6 September 1991	24	Ninetieth session (July 2007)	Deadline in concluding observations to submit initial report by 31 December 2008
4.	Seychelles	4 August 1993	22	101st session (March 2011)	Deadline in concluding observations to submit initial report by 1 April 2012
5.	Dominica	16 September 1994	21	List of issues adopted at the 102nd session (July 2011; consideration was postponed)	
6.	Cabo Verde	5 November 1994	21	104th session (March 2012)	Deadline in concluding observations to submit initial report by 30 March 2013
7.	Belize	9 September 1997	18	107th session (March 2013)	Deadline in concluding observations to submit initial report by 28 March 2015
8.	Eritrea	22 April 2003	12		Deadline in last reminder letter (rule 70 of the rules of procedure) to submit report by 12 November 2014
9.	Timor-Leste	19 December 2004	11		Deadline in last reminder letter (rule 70 of the rules of procedure) to submit report by 12 November 2014
10.	Swaziland	27 June 2005	10		Deadline in last reminder letter (rule 70 of the rules of procedure) to submit report by 12 November 2014

	State party	Date due	Years overdue	Considered in the absence of a report	Remarks
11.	Liberia	22 December 2005	10		Deadline in last reminder letter (rule 70 of the rules of procedure) to submit report by 12 November 2014
12.	Bahrain	20 December 2007	8		Deadline in last reminder letter (rule 70 of the rules of procedure) to submit report by 12 November 2014
13.	Andorra	22 December 2007	8		
14.	Samoa	15 May 2009	6		
15.	Papua New Guinea	21 October 2009	6		
16.	Vanuatu	21 February 2010	6		
17.	Bahamas	23 March 2010	6		
18.	Lao People's Democratic Republic	25 December 2010	5		
19.	Guinea-Bissau	1 February 2012	4		
20.	South Sudan	9 July 2012	3		Bearing in mind that the Sudan has been a party to the Covenant since 1986, and that South Sudan became independent from it in July 2011, the Committee, in the light of its general comment No. 26 (1997) on issues relating to the continuity of obligations to the International Covenant on Civil and Political Rights (see *Official Records of the General Assembly, Fifty-third Session, Supplement No. 40*, vol. I (A/53/40 (Vol. I)), annex VII), is of the view that the people of South Sudan remain under the protection of the Covenant, and thus South Sudan should submit an initial report under article 40 (1) (a) of the Covenant. The Committee decided, on two occasions, to invite South Sudan to submit an initial report (see para. 61 above and A/69/70, Vol. I, para. 75).
21.	State of Palestine	3 July 2015			Accession on 2 April 2014

B. States parties the periodic report of which is overdue by 10 years or more (20 States parties)

	State party	*Type of report*	*Date due*	*Years overdue*	*Accepted simplified reporting procedure*	*New due date*	*Remarks*
1.	Afghanistan	Third	15 May 1996	19	12 May 2011	31 October 2013	List of issues prior to reporting adopted at the 105th session (July 2012)
2.	Congo	Third	31 March 2003	13			
3.	Democratic People's Republic of Korea	Third	1 January 2004	12			
4.	Egypt	Fourth	1 November 2004	11			
5.	Gabon	Third	31 October 2003	12			
6.	Gambia	Second	21 June 1985	30			Concluding observations adopted in the absence of the second periodic report at the seventy-fifth session (July 2002)
7.	Guinea	Third	30 September 1994	2			
8.	Guyana	Third	31 March 2003	13			
9.	India	Fourth	31 December 2001	14			
10.	Lebanon	Third	31 December 1999	16			
11.	Lesotho	Second	30 April 2002	13			
12.	Mali	Third	1 April 2005	10			
13.	Niger	Second	31 March 1994	22			
14.	Nigeria	Second	28 October 1999	16			
15.	Romania	Fifth	28 April 1999	16	15 July 2013	30 April 2015	List of issues prior to reporting adopted at the 110th session (March 2014)

	State party	Type of report	Date due	Years overdue	Accepted simplified reporting procedure	New due date	Remarks
16.	Saint Vincent and the Grenadines	Second	31 October 1991	24			Concluding observations adopted in the absence of the second periodic report at the eighty-sixth session (March 2006)
17.	Senegal	Fifth	4 April 2000	15			
18.	Trinidad and Tobago	Fifth	31 October 2003	12			
19.	Viet Nam	Third	1 August 2004	11			
20.	Zimbabwe	Second	1 June 2002	13			

C. States parties the periodic report of which is between 5 and 10 years overdue (nine States parties)

	State party	Type of report	Date due	Years overdue	Accepted simplified reporting procedure	New due date	Remarks
1.	Barbados	Fourth	29 March 2011	5			
2.	Brazil	Third	31 October 2009	6			
3.	Central African Republic	Third	1 August 10	5			
4.	Democratic Republic of the Congo	Fourth	1 April 2009	6			Report received on 9 February 2016. Requested to submit Microsoft Word version
5.	Libya	Fifth	30 October 2010	7			
6.	Luxembourg	Fourth	1 April 2008	8			
7	Mauritius	Fifth	1 April 2010	5			Information from State that the report is expected by the end of 2014
8.	Syrian Arab Republic	Fourth	1 August 2009	6			
9.	Uganda	Second	1 April 2008	7			

D. States parties the report of which is less than five years overdue (20 States parties)

	State party	*Type of report*	*Date due*	*Years overdue*	*Accepted simplified reporting procedure*	*New due date*	*Remarks*
1.	Algeria	Fourth	1 November 2011	4			
2.	Australia	Sixth	1 April 2013	2	10 March 2011	20 December 2013	List of issues prior to reporting adopted at the 106th session (October 2012)
							Report received but exceeded word limit. Requested to resubmit by 15 June 2016
3.	Belgium	Sixth	29 October 2015		28 November 2014		List of issues prior to reporting to be adopted at the 117th session (June 2016)
4.	Botswana	Second	31 March 2012	4			
5.	Cameroon	Fifth	30 July 2013	2	2 February 2011	30 July 2013	List of issues prior to reporting adopted at the 103rd session (October 2011)
6.	Dominican Republic	Sixth	30 March 2016				
7.	Ethiopia	Second	29 July 2014	1			
8.	Iran (Islamic Republic of)	Fourth	2 November 2014	1			
9.	Jordan	Fifth	29 October 2014	1			
10.	Kenya	Fourth	30 July 2015				
11.	Maldives	Second	30 July 2015				
12.	Mexico	Sixth	30 March 2014	2	18 December 2013	31 August 2015	List of issues prior to reporting adopted at the 111th session (July 2014)
13.	Netherlands (including Antilles and Aruba)	Fifth	31 July 2014	1			

	State party	Type of report	Date due	Years overdue	Accepted simplified reporting procedure	New due date	Remarks
14.	Nicaragua	Fourth	29 October 2012	3			
15.	Panama	Fourth	31 March 2012	4			
16.	Tunisia	Sixth	31 March 2012	4			
17.	Togo	Fifth	1 April 2015		24 February 2016		
18.	United Republic of Tanzania	Fifth	1 August 2013	2			
19.	Yemen	Sixth	30 March 2015	1			
20.	Zambia	Fourth	20 July 2011	4			

E. States parties the report of which is not yet due (76 States parties)

	State party	Type of report	Date due	Accepted simplified reporting procedure	New due date	Remarks
1.	Albania	Third	26 July 2018			
2.	Angola	Second	30 March 2017			
3.	Armenia	Third	30 July 2016			
4.	Austria	Sixth	6 November 2021			
5.	Bolivia (Plurinational State of)	Fourth	1 November 2018			
6.	Belarus	Fifth	7 November 2001	18 February 2014	30 August 2016	List of issues prior to reporting adopted at the 114th session (July 2015)
7.	Benin	Third	6 November 2019			
8.	Bulgaria	Fourth	29 July 2015	20 February 2014	30 August 2016	List of issues prior to reporting adopted at the 114th session (July 2015)

State party	Type of report	Date due	Accepted simplified reporting procedure	New due date	Remarks
9. Burundi	Third	31 October 2018			
10. Canada	Seventh	24 July 2020			
11. Cambodia	Third	2 April 2019			
12. Chad	Third	28 March 2018	30 January 2012		
13. Chile	Seventh	31 July 2019			
14. Costa Rica	Seventh	31 March 2021			
15. Côte d'Ivoire	Second	2 April 2019			
16. Croatia	Fourth	2 April 2020	8 January 2014		Concluding observations on the third periodic report adopted under the simplified reporting procedure
17. Cyprus	Fifth	2 April 2020	16 February 2015		
18. Czech Republic	Fourth	26 July 2018	5 July 2013		
19. Djibouti	Second	1 November 2017			
20. El Salvador	Seventh	29 October 2014	11 February 2014	30 August 2016	List of issues prior to reporting adopted at the 114th session (July 2015)
21. Estonia	Fourth	30 July 2015	6 January 2015	30 April 2017	List of issues prior to reporting adopted at the 116th session (March 2016)
22. France	Sixth	24 July 2020			
23. Finland	Seventh	26 July 2019	8 January 2016		
24. Georgia	Fifth	31 July 2019			
25. Germany	Seventh	2 November 2018	28 March 2013		
26. Greece	Third	6 November 2020			
27. Guatemala	Fourth	30 March 2016	15 July 2013	30 November 2016	List of issues prior to reporting adopted at the 115th session (October 2015)

	State party	Type of report	Date due	Accepted simplified reporting procedure	New due date	Remarks
28.	Haiti	Second	31 October 2018			
29.	Hong Kong, China[a]	Fourth	30 March 2018			
30.	Hungary	Sixth	29 October 2014	15 October 2014	30 November 2016	List of issues prior to reporting adopted at the 115th session (October 2015)
31.	Iceland	Sixth	30 July 2018			
32.	Indonesia	Second	26 July 2017			
33.	Iraq	Sixth	6 November 2018			
34.	Ireland	Fifth	31 July 2019			
35.	Israel	Fifth	31 October 2018	9 May 2011		Concluding observations on the fourth periodic report adopted under the simplified reporting procedure
36.	Japan	Seventh	31 July 2018	30 March 2016		
37.	Kyrgyzstan	Third	28 March 2018			
38.	Latvia	Fourth	28 March 2020			
39.	Lithuania	Fourth	30 July 2017	20 March 2013		
40.	Macao, China[b]	Second	30 March 2018			
41.	Malawi	Second	31 July 2018			
42.	Malta	Third	31 October 2020			
43.	Mauritania	Second	1 November 2017			
44.	Monaco	Fourth	2 April 2021	5 January 2011		Concluding observations on the third periodic report adopted under the simplified reporting procedure
45.	Montenegro	Second	31 October 2020			
46.	Mozambique	Second	1 November 2017			

State party	Type of report	Date due	Accepted simplified reporting procedure	New due date	Remarks
47. Namibia	Third	31 March 2020			
48. Nepal	Third	28 March 2018			
49. New Zealand	Seventh	31 March 2023	28 January 2011		Concluding observations on the sixth periodic report adopted under the simplified reporting procedure
50. Norway	Seventh	2 November 2016	5 April 2013		List of issues prior to reporting to be adopted at the 117th session (June 2016)
51. Paraguay	Fourth	30 March 2017	23 October 2015		
52. Peru	Sixth	30 March 2018	18 February 2018		
53. Philippines	Fifth	2 November 2016			
54. Portugal	Fifth	31 October 2018			
55. Republic of Korea	Fifth	6 November 2019			
56. Russian Federation	Eighth	2 April 2019			
57. Rwanda	Fifth	31 March 2019			
58. San Marino	Fourth	6 November 2022	23 February 2011		Concluding observations on the third periodic report adopted under the simplified reporting procedure
59. Sierra Leone	Second	28 March 2017			
60. Slovenia	Fourth	31 March 2021			
61. South Africa	Second	31 March 2020			
62. Spain	Seventh	24 July 2020	2 October 2015		
63. Sri Lanka	Sixth	31 October 2017			
64. Sudan	Fifth	31 July 2017			
65. Suriname	Fourth	6 November 2020			

	State party	Type of report	Date due	Accepted simplified reporting procedure	New due date	Remarks
66.	Switzerland	Fourth	1 November 2015	23 January 2014	1 July 2016	List of issues prior to reporting adopted at the 112th session (October 2014) Report received but exceeded word limit. Requested to resubmit by 1 July 2016
67.	Sweden	Eighth	31 March 2023	20 June 2013		Concluding observations on the seventh periodic report adopted under the simplified reporting procedure
68.	Tajikistan	Third	26 July 2017			
69.	The former Yugoslav Republic of Macedonia	Fourth	24 July 2020			
70.	Turkey	Second	2 November 2016			
71.	Ukraine	Eighth	26 July 2018			
72.	United Kingdom of Great Britain and Northern Ireland	Eighth	24 July 2020			
73.	United States of America	Fifth	28 March 2019			
74.	Uruguay	Sixth	1 November 2018	26 November 2010		Concluding observations on the fifth periodic report adopted under the simplified reporting procedure
75.	Uzbekistan	Fifth	24 July 2018			
76.	Venezuela (Bolivarian Republic of)	Fifth	24 July 2018			

[a] Although China is not itself a party to the Covenant, the Government of China has honoured the obligations under article 40 with respect to Hong Kong, China, which was previously under British administration. For information on the application of the Covenant in Hong Kong, China, see *Official Records of the General Assembly, Fifty-first Session, Supplement No. 40* (A/51/40), chap. V, sect. B, paras. 78-85.

[b] Although China is not itself a party to the Covenant, the Government of China has honoured the obligations under article 40 with respect to Macao, China, which was previously under Portuguese administration. For information on the application of the Covenant in Macao, China, see *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 40* (A/55/40), chap. IV.

F. States parties the report of which is yet to be considered by the Committee (25 States parties)

	State party	*Type of report*	*Date due*	*Date of submission*	*Accepted simplified reporting procedure*	*Remarks*
1.	Kuwait	Third	2 November 2014	28 October 2014		
2.	Ghana	Initial	8 February 2001	17 November 2014		
3.	Kazakhstan	Second	29 July 2014	11 December 2014		
4.	Azerbaijan	Fourth	1 August 2013	22 December 2014		
5.	Colombia	Seventh	1 April 2014	22 December 2014		
6.	Burkina Faso	Initial	3 April 2000	23 December 2014		
7.	Jamaica	Fourth	2 November 2014	18 March 2015		
8.	Slovakia	Fourth	1 April 2015	6 May 2015		
9.	Argentina	Fifth	30 March 2014	19 May 2015	20 September 2013	List of issues prior to reporting adopted at the 110th session (March 2014). Accordingly, the new due date to submit the report was set as 30 April 2015
10.	Morocco	Sixth	1 November 2008	15 June 2015		
11.	Bangladesh	Initial	6 December 2001	19 June 2015		
12.	Thailand	Second	1 August 2009	23 June 2015		
13.	Turkmenistan	Second	30 March 2015	27 July 2015		
14.	Ecuador	Sixth	30 October 2013	6 August 2015	1 March 2013	List of issues prior to reporting adopted at the 110th session (March 2014). Accordingly, the new due date to submit the report was set as 30 April 2015
15.	Denmark	Sixth	31 October 2013	29 September 2015	2 March 2013	List of issues prior to reporting adopted at the 103rd session (October 2011)
16.	Serbia	Third	1 April 2015	8 September 2015		
17.	Italy	Sixth	31 October 2009	8 September 2015		

	State party	Type of report	Date due	Date of submission	Accepted simplified reporting procedure	Remarks
18.	Pakistan	Initial	23 September 2011	19 October 2015		
19.	Honduras	Second	31 October 2010	21 October 2015		
20.	Poland	Seventh	29 October 2015	26 October 2015	6 March 2012	List of issues prior to reporting adopted at the 111th session (July 2014). Accordingly, the new due date to submit the report was set as 30 October 2015
21.	Madagascar	Fourth	23 March 2011	9 November 2015		
22.	Republic of Moldova	Third	30 October 2013	6 January 2016	18 March 2011	List of issues prior to reporting adopted at the 103rd session (October 2011)
23.	Liechtenstein	Second	1 September 2009	24 March 2016		
24.	Bosnia and Herzegovina	Third	2 November 2016	24 March 2016	1 February 2011	List of issues prior to reporting adopted at the 115th session (October 2015). Accordingly, the new due date to submit the report was set as 30 November 2016
25.	Mongolia	Sixth	1 April 2015	30 March 2016		

A/71/41

United Nations

Report of the Committee on the Rights of the Child

Sixty-sixth session
(26 May-13 June 2014)

Sixty-seventh session
(1-19 September 2014)

Sixty-eighth session
(12-30 January 2015)

Sixty-ninth session
(18 May-5 June 2015)

Seventieth session
(14 September-2 October 2015)

Seventy-first session
(11-29 January 2016)

General Assembly
Official Records
Seventy-first session
Supplement No. 41 (A/71/41)

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(14 September-2 October 2015)

Seventy-first session
(11-29 January 2016)

General Assembly
Official Records
Seventy-first session
Supplement No. 41 (A/71/41)

A/71/41

General Assembly
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Seventieth session
(14 September-2 October 2015)

Seventy-first session
(11-29 January 2016)

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Note

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I. Organizational and other matters

A. States parties to the Convention

1. As at 29 January 2016, the closing date of the seventy-first session of the Committee on the Rights of the Child, there were 196 States parties to the Convention on the Rights of the Child, 3 more than at the time of the last report (Somalia, South Sudan and the State of Palestine). This makes it the most widely ratified human rights instrument, with only one ratification left to reach universal ratification, namely that of United States of America. An updated list of States that have signed, ratified or acceded to the Convention can be consulted at www.ohchr.org or http://treaties.un.org.

2. As at the same date, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict had been ratified or acceded to by 162 States parties, 9 more than at the time of the last report, and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography had been ratified or acceded to by 171 States parties, 5 more than at the time of the last report.

3. The Optional Protocol to the Convention on the Rights of the Child on a communications procedure, adopted by the General Assembly on 19 December 2011, entered into force on 14 April 2014, three months after the deposit of the tenth instrument of ratification or accession, in accordance with article 19 (1) of the Optional Protocol. As at 29 January 2016, it had been ratified by 24 States, 14 more than the time of the last report. An updated list of States that have signed, ratified or acceded to the three Optional Protocols can be consulted at www.ohchr.org or http://treaties.un.org.

B. Sessions of the Committee

4. The Committee held six sessions since the adoption of its previous biennial report:[1] the sixty-sixth session (26 May-13 June 2014), sixty-seventh session (1-19 September 2014), sixty-eighth session (12-30 January 2015), sixty-ninth session (18 May-5 June 2015), seventieth session (14 September-2 October 2015) and seventy-first session (11-29 January 2016). Subsequent to each session, the Committee makes public all concluding observations adopted, as well as any decisions and recommendations (including those arising from a day of general discussion) and general comments adopted. The full text of those documents can be found at www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx.

C. Membership and officers of the Committee

5. From the sixty-sixth to the sixty-eighth session, the Committee maintained the same members and officers noted in its previous report to the General Assembly, with Kirsten Sandberg as the Chair.[2]

6. In accordance with article 43 of the Convention, the Fifteenth Meeting of States Parties to the Convention was convened on 25 June 2014 at United Nations Headquarters.

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[1] *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 41* (A/69/41).

[2] Ibid., annex I.

The following nine members of the Committee were elected or re-elected for a term of four years beginning on 1 March 2015: Suzanne Aho Assouma, Hynd Ayoubi Idrissi, Jorge Cardona Llorens, Bernard Gastaud, Hatem Kotrane, Gehad Madi, Clarence Nelson, José Angel Rodríguez Reyes and Kirsten Sandberg.

7. The list of the members of the Committee, with an indication of their term of office, appears in annex I to the present report. Annex I also indicates the officers elected at the sixty-ninth session of the Committee, including the new Chair, Benyam Dawit Mezmur.

D. Adoption of the report

8. At its 2103rd meeting, held on 29 January 2016, the Committee considered the draft of its thirteenth biennial report to the General Assembly, covering its activities from the sixty-sixth to the seventy-first session. The report was adopted unanimously by the Committee.

II. Reports by States parties under article 44 of the Convention, article 8 of the Optional Protocol on the involvement of children in armed conflict and article 12 of the Optional Protocol on the sale of children, child prostitution and child pornography

A. Submission of reports

9. The status of submission of reports and the adoption of related concluding observations can be found at: http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx.

10. As at 29 January 2016, the Committee had received 493 reports pursuant to article 44 of the Convention, including 198 initial and 295 periodic reports, as well as 105 initial State party reports and one second periodic report under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and 96 initial reports and one second periodic report under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. As at 29 January 2016, the backlog of reports to be considered by the Committee stood at 40 reports: 29 under the Convention, 3 under the Optional Protocol on the involvement of children in armed conflict and 8 under the Optional Protocol on the sale of children, child prostitution and child pornography.

B. Consideration of reports

11. At its sixty-sixth to the seventy-first sessions, the Committee considered 48 initial and periodic reports under the Convention, 17 initial reports under the Optional Protocol on the involvement of children in armed conflict and 18 initial reports under the Optional Protocol on the sale of children, child prostitution and child pornography.

12. The following table indicates, by session, the reports of States parties considered by the Committee during the period covered by the present report, including their respective document symbols. It further provides the document symbol of the concluding observations.

	State party report	Concluding observations
Sixty-sixth session, 26 May-13 June 2014		
Convention on the Rights of the Child		
India	CRC/C/IND/3-4	CRC/C/IND/CO/3-4
Indonesia	CRC/C/IDN/3-4	CRC/C/IDN/CO/3-4
Jordan	CRC/C/JOR/4-5	CRC/C/JOR/CO/4-5
Kyrgyzstan	CRC/C/KGZ/3-4	CRC/C/KGZ/CO/3-4
Saint Lucia	CRC/C/LCA/2-4	CRC/C/LCA/CO/2-4
Optional Protocol on the involvement of children in armed conflict		
Jordan	CRC/C/OPAC/JOR/1	CRC/C/OPAC/JOR/CO/1
Optional Protocol on the sale of children, child prostitution and child pornography		
Jordan	CRC/C/OPSC/JOR/1	CRC/C/OPSC/JOR/CO/1
United Kingdom of Great Britain and Northern Ireland	CRC/C/OPSC/GBR/1	CRC/C/OPSC/GBR/CO/1
Sixty-seventh session, 1-19 September 2014		
Convention on the Rights of the Child		
Croatia	CRC/C/HRV/3-4	CRC/C/HRV/CO/3-4
Fiji	CRC/C/FJI/2-4	CRC/C/FJI/CO/2-4
Hungary	CRC/C/HUN/3-5	CRC/C/HUN/CO/3-5
Morocco	CRC/C/MAR/3-4	CRC/C/MAR/CO/3-4
Venezuela (Bolivarian Republic of)	CRC/C/VEN/3-5	CRC/C/VEN/CO/3-5
Optional Protocol on the involvement of children in armed conflict		
Hungary	CRC/C/OPAC/HUN/1	CRC/C/OPAC/HUN/CO/1
Morocco	CRC/C/OPAC/MAR/1	CRC/C/OPAC/MAR/CO/1
Singapore	CRC/C/OPAC/SGP/1	CRC/C/OPAC/SGP/CO/1
Venezuela (Bolivarian Republic of)	CRC/C/OPAC/VEN/1	CRC/C/OPAC/VEN/CO/1
Optional Protocol on the sale of children, child prostitution and child pornography		
Hungary	CRC/C/OPSC/HUN/1	CRC/C/OPSC/HUN/CO/1
Venezuela (Bolivarian Republic of)	CRC/C/OPSC/VEN/1	CRC/C/OPSC/VEN/CO/1
Sixty-eighth session, 12-30 January 2015		
Convention on the Rights of the Child		
Colombia	CRC/C/COL/4-5	CRC/C/COL/CO/4-5

	State party report	*Concluding observations*
Dominican Republic	CRC/C/DOM/3-5	CRC/C/DOM/CO/3-5
Gambia	CRC/C/GMB/2-3	CRC/C/GMB/CO/2-3
Iraq	CRC/C/IRQ/2-4	CRC/C/IRQ/CO/2-4
Jamaica	CRC/C/JAM/3-4	CRC/C/JAM/CO/3-4
Mauritius	CRC/C/MUS/3-5	CRC/C/MUS/CO/3-5
Sweden	CRC/C/SWE/5	CRC/C/SWE/CO/5
Switzerland	CRC/C/CHE/2-4	CRC/C/CHE/CO/2-4
Turkmenistan	CRC/C/TKM/2-4	CRC/C/TKM/CO/2-4
United Republic of Tanzania	CRC/C/TZA/3-5	CRC/C/TZA/CO/3-5
Uruguay	CRC/C/URY/3-5	CRC/C/URY/CO/3-5
Optional Protocol on the involvement of children in armed conflict		
Cambodia	CRC/C/OPAC/KHM/1	CRC/C/OPAC/KHM/CO/1
Iraq	CRC/C/OPAC/IRQ/1	CRC/C/OPAC/IRQ/CO/1
Turkmenistan	CRC/C/OPAC/TKM/1	CRC/C/OPAC/TKM/CO/1
Uruguay	CRC/C/OPAC/URY/1	CRC/C/OPAC/URY/CO/1
Optional Protocol on the sale of children, child prostitution and child pornography		
Cambodia	CRC/C/OPSC/KHM/1	CRC/C/OPSC/KHM/CO/1
Iraq	CRC/C/OPSC/IRQ/1	CRC/C/OPSC/IRQ/CO/1
Switzerland	CRC/C/OPSC/CHE/1	CRC/C/OPSC/CHE/CO/1
Turkmenistan	CRC/C/OPSC/TKM/1	CRC/C/OPSC/TKM/CO/1
Uruguay	CRC/C/OPSC/URY/1	CRC/C/OPSC/URY/CO/1
Sixty-ninth session, 18 May–5 June 2015		
Convention on the Rights of the Child		
Eritrea	CRC/C/ERI/4	CRC/C/ERI/CO/4
Ethiopia	CRC/C/ETH/4-5	CRC/C/ETH/CO/4-5
Ghana	CRC/C/GHA/3-5	CRC/C/GHA/CO/3-5
Honduras	CRC/C/HND/4-5	CRC/C/HND/CO/4-5
Mexico	CRC/C/MEX/4-5	CRC/C/MEX/CO/4-5
Netherlands	CRC/C/NLD/4	CRC/C/NLD/CO/4
Optional Protocol on the involvement of children in armed conflict		
Honduras	CRC/C/OPAC/HND/1	CRC/C/OPAC/HND/CO/1

	State party report	*Concluding observations*
Lao People's Democratic Republic	CRC/C/OPAC/LAO/1	CRC/C/OPAC/LAO/CO/1
Netherlands	CRC/C/OPAC/NLD/1	CRC/C/OPAC/NLD/CO/1
Optional Protocol on the sale of children, child prostitution and child pornography		
Honduras	CRC/C/OPSC/HND/1	CRC/C/OPSC/HND/CO/1
Israel	CRC/C/OPSC/ISR/1	CRC/C/OPSC/ISR/CO/1
Lao People's Democratic Republic	CRC/C/OPSC/LAO/1	CRC/C/OPSC/LAO/CO/1
Seventieth session, 14 September-2 October 2015		
Convention on the Rights of the Child		
Bangladesh	CRC/C/BGD/5	CRC/C/BGD/CO/5
Brazil	CRC/C/BRA/2-4	CRC/C/BRA/CO/2-4
Chile	CRC/C/CHL/4-5	CRC/C/CHL/CO/4-5
Kazakhstan	CRC/C/KAZ/4	CRC/C/KAZ/CO/4
Poland	CRC/C/POL/3-4	CRC/C/POL/CO/3-4
Timor-Leste	CRC/C/TLS/2-3	CRC/C/TLS/CO/2-3
United Arab Emirates	CRC/C/ARE/2	CRC/C/ARE/CO/2
Optional Protocol on the involvement of children in armed conflict		
Brazil	CRC/C/OPAC/BRA/1	CRC/C/OPAC/BRA/CO/1
Cuba	CRC/C/OPAC/CUB/1	CRC/C/OPAC/CUB/CO/1
Madagascar	CRC/C/OPAC/MDG/1	CRC/C/OPAC/MDG/CO/1
Optional Protocol on the sale of children, child prostitution and child pornography		
Cuba	CRC/C/OPSC/CUB/1	CRC/C/OPSC/CUB/CO/1
Madagascar	CRC/C/OPSC/MDG/1	CRC/C/OPSC/MDG/CO/1
Seventy-first session, 11-29 January 2016		
Convention on the Rights of the Child		
Benin	CRC/C/BEN/3-5	CRC/C/BEN/CO/3-5
Brunei Darussalam	CRC/C/BRN/2-3	CRC/C/BRN/CO/2-3
France	CRC/C/FRA/5	CRC/C/FRA/CO/5
Haiti	CRC/C/HTI/2-3	CRC/C/HTI/CO/2-3
Iran (Islamic Republic of)	CRC/C/IRN/4-5	CRC/C/IRN/CO/4-5
Ireland	CRC/C/IRL/3-4	CRC/C/IRL/CO/3-4
Kenya	CRC/C/KEN/3-5	CRC/C/KEN/CO/3-5

	State party report	*Concluding observations*
Latvia	CRC/C/LVA/3-5	CRC/C/LVA/CO/3-5
Maldives	CRC/C/MDV/4-5	CRC/C/MDV/CO/4-5
Oman	CRC/C/OMN/3-4	CRC/C/OMN/CO/3-4
Peru	CRC/C/PER/4-5	CRC/C/PER/CO/4-5
Senegal	CRC/C/SEN/3-5	CRC/C/SEN/CO/3-5
Zambia	CRC/C/ZMB/2-4	CRC/C/ZMB/CO/2-4
Zimbabwe	CRC/C/ZWE/2	CRC/C/ZWE/CO/2
Optional Protocol on the involvement of children in armed conflict		
Latvia	CRC/C/OPAC/LVA/1	CRC/C/OPAC/LVA/CO/1
Peru	CRC/C/OPAC/PER/1	CRC/C/OPAC/PER/CO/1
Holy See	CRC/C/OPAC/VAT/1	CRC/C/OPAC/VAT/CO/1
Optional Protocol on the sale of children, child prostitution and child pornography		
Latvia	CRC/C/OPSC/LVA/1	CRC/C/OPSC/LVA/CO/1
Peru	CRC/C/OPSC/PER/1	CRC/C/OPSC/PER/CO/1 and Corr.1

13. The Government of Hungary sent its comments on the concluding observations on its combined third, fourth and fifth periodic reports (CRC/C/HUN/CO/3-5) on 25 February 2015. They may be found on the web page of the sixty-seventh session: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=837&Lang=e.

14. The Government of Poland sent its comments on the concluding observations on its third and fourth periodic reports (CRC/C/POL/CO/3-4) on 10 March 2016. They may be found on the web page of the seventieth session: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=828&Lang=en.

15. The Government of the Islamic Republic of Iran sent its comments on the concluding observations on its third and fourth periodic reports (CRC/C/IRN/CO/3-4) on 20 March 2016. They may be found on the web page of the seventy-first session: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=924&Lang=en.

C. Progress achieved: trends and challenges of the implementation process

16. In accordance with its practice regarding its biennial reports, in the present section the Committee assesses achievements and challenges as well as current trends in children's rights. In particular, the Committee dedicates a subsection to public budgets to realize the rights of the child.

1. Progress achieved in general

17. During the period under review, the Committee on the Rights of the Child considered at six sessions a total of 83 reports under the Convention and the first two

Optional Protocols, 17 more than in the previous reporting period. In addition, it issued the first general comment jointly with another Committee (see para. 47 below). It also adopted its first decision on a communication under the Optional Protocol on a communications procedure.

18. On 24 September 2014, the Committee celebrated the twenty-fifth anniversary of the Convention as an online event with conversations between 28 children from 14 countries around the world and Committee members. The video sessions, as well as the short stories, poems, pictures, photos and videos sent by children to celebrate the twenty-fifth anniversary, may be viewed at www.ohchr.org/EN/HRBodies/CRC/Pages/CRC25thAnniversary.aspx.

19. Between sessions, the Committee members were personally engaged in numerous activities. Those included participating in several meetings, conferences, seminars, lectures and courses. From 12 to 14 November 2014, the majority of the members of the Committee attended the Sixth World Congress on the Rights of Children and Adolescents in Puebla, Mexico. Additionally, many Committee members were involved in the follow-up to the concluding observations of the Committee in a number of countries upon invitation from States, civil society organizations and the United Nations Children's Fund (UNICEF). That work remains indispensable to guarantee a better application of the Convention and the three Optional Protocols thereto.

20. The Committee continued its work on the process initiated by the United Nations High Commissioner for Human Rights in 2009 on strengthening the treaty body system. At its sixty-sixth session, the Committee discussed the outcome of the treaty body strengthening process as adopted by the General Assembly in its resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system in April 2014 and its implications for the Committee. In that regard, the Committee adopted at its 1928th meeting its decision No. 11 with regard to the simplified reporting procedure, the length of concluding observations and the appointment of a rapporteur on reprisals (for the full text of the decision, see annex II to the present report). In subsequent sessions, the Committee discussed how to offer the simplified reporting procedure to States parties in 2016, as stated in Committee's decision No. 11, and methods of work concerning days of general discussion and general comments.

2. Public budgets to realize the rights of the child

21. Over recent years, the Committee has noticed during the dialogue with States parties important progress made by State parties in reviewing domestic legislation, policies and programmes and bringing them into conformity with the provisions of the Convention and the Optional Protocols thereto. At the same time the Committee has underlined that the legislation, policies and programmes cannot be realized without sufficient financial resources mobilized and spent in an effective, efficient, equitable, transparent and sustainable way. Regrettably, more needs to be done by States, as emphasized by the Committee in almost all its dialogues with States parties, as well as in its concluding observations.

22. Likewise, the Committee repeatedly expressed its concern over the serious consequences on children's rights of the budgetary measures adopted in times of economic crisis.

23. For the above-mentioned reasons, the Committee decided to develop a general comment on the budgeting process, with a special focus on public spending. The overall objective of adopting the general comment is to improve understanding of the obligations deriving from the Convention in relation to budgeting for the rights of the child. The specific objective is to promote real change in the way budgets are planned for, enacted,

executed and followed up on in order to better implement the Convention and the Optional Protocols thereto.

24. The Committee undertook broad consultations in developing the general comment, including with representatives of the States parties to the Convention, other human rights treaty bodies and non-governmental organizations and human rights special procedure mandate holders working on children's rights and individual experts. At the same time, meetings and regional consultations were carried out in Asia, Europe, Latin America and the Caribbean, the Middle East and North Africa and sub-Saharan Africa. Last, but not least, a global consultation was organized, with 2,693 children from 71 different countries contributing. Additionally, children of different backgrounds also attended regional consultations in Africa, Asia, Europe and Latin America.

25. The Committee is of the view that public resource mobilization and spending to realize the rights of the child must simultaneously respect the general principles of the Convention (the right to non-discrimination; the best interest of the child; the right to life, survival and development; the right to be heard) and the principles of public budgeting (effectiveness, efficiency, equity, transparency and sustainability). Budgets should thus ensure budgetary rigour, together with providing the content of all the rights recognized in the Convention.

26. The Committee is of the opinion that particular attention should be given to situations of economic crisis, in which States are often obliged to adopt measures to cut expenditure. States must, in those circumstances, take into consideration in particular the right of children to have their best interests taken into account as a primary consideration in the budgetary measures that concern them. Similarly, States should take measures to ensure, in any case the essential implementation of all rights for all children, in particular those who are in a situation of particular vulnerability.

27. The expression "to the maximum extent of their available resources" as used in the Convention to refer to the coment of the budgetary obligations in the field of economic, social and cultural rights, should lead States to take measures, if necessary also in the framework of international cooperation, to ensure the availability of sufficient and sustainable resources to guarantee those rights. In that regard, not only public spending, but also the resource mobilization systems, should take into account the obligations arising from the Convention.

28. While recognizing that the details of budget processes differ between States and that certain States have developed their own tailor-made child rights budgeting methods, the general comment provides some key points of guidance regarding four major stages of the budget process that concern all States: planning, enactment, execution and follow-up.

29. In drafting the general comment, the Committee realized that it must make very specific recommendations that allow all States to improve the way in which they plan, approve, execute and monitor their public budgets. That would guarantee all the rights of all children, with special attention given to children who are in situations of vulnerability. The Committee's intention with the general comment, therefore, is not just to make children visible in the texts setting out budgets, by being able to identify with precision which is the specific budget allocated to the guarantee of each of the rights contained in the Convention, but that children are visible throughout the budgetary process, with children and their rights present in the planning, enactment, execution and monitoring of all public budgets.

30. The Committee plans to approve the general comment in the course of 2016.

3. Trends and challenges

31. The Committee notes that, since the adoption of the Convention, the twenty-fifth anniversary of which was celebrated in 2014, the world in general has become a better place for children. The underlying values of the Convention, although tested on some occasions, are hardly questioned. Commitments to children in the areas of poverty, nutrition, health, education, water and sanitation and gender equality contained in the Millennium Development Goals have had a positive impact on millions of children, especially in the health and education sectors. The Committee welcomes the adoption on 25 September 2015 of the 2030 Agenda for Sustainable Development, which includes new goals and targets on child protection, early childhood education and reducing inequality. The Committee hopes that the Agenda will help States to implement further the provisions of the Convention and the Optional Protocols thereto.

32. Notwithstanding the improvements, too many children everywhere in the world are still facing significant challenges because their rights are not respected and, sometimes, are openly violated. Discrimination, both de jure and de facto, against children, such as girls, children with disabilities, children from ethnic, racial and religious minorities, children in poverty, lesbian, gay, bisexual, transgender and intersex children and non-national and stateless children, remains a serious challenge. Violence against children, in all its forms, continues to be widespread, including sexual and other forms of exploitation. In that regard, the Committee reiterates the recommendations made in its previous report.[3]

33. It also expresses its grave concern about the continued wide prevalence of harmful practices against children that are grounded in discrimination, including based on sex, gender and age, and have often been justified by invoking sociocultural and religious customs and values, in addition to misconceptions relating to some groups of children in disadvantaged situations, especially girls. The most prevalent and well-documented practices are female genital mutilation, child and forced marriage, crimes committed in the name of so-called honour and dowry-related violence. In a joint general comment No. 18 on harmful practices, adopted together with the Committee on the Elimination of Discrimination against Women on harmful practices, the Committee, for an effective prevention and elimination of harmful practices, recommended that States parties establish a well-defined, rights-based and locally relevant holistic strategy that includes supportive legal and policy measures, including social measures that are combined with commensurate political commitment and accountability at all levels.

34. The Committee reiterates its recommendations made with regard to other challenges highlighted in its previous report, in particular relating to children with disabilities and juvenile justice.[4] The Committee in particular notes with concern that, during the reporting period (1 February 2014-29 January 2016), a number of States parties introduced bills and laws that do not advance the object and purposes of the Convention, often reducing the minimum age of criminal responsibility below an internationally acceptable standard, imposing harsh penalties on children and not providing adequate substantive or procedural protection to all children below 18 years. Those trends are a very serious regression and cause for concern for the Committee.

35. The Committee is particularly worried by the worsening of the migration crisis during the reporting period and its negative impact on the rights of millions of children worldwide, including their right to life, survival and development. It is imperative that

[3] *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 41* (A/69/41), para. 26.

[4] *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 41* (A/69/41), paras. 27 and 29, respectively.

States parties adopt a child rights-based approach when planning, discussing and implementing measures designed to strengthen responses to migration. The right of the child to have his or her best interests taken as a primary consideration should serve as the underlying obligation with which all migration laws, policies and services in countries of origin, transit and destination must comply. In addition, the obligation to respect and protect the right of the child to freedom from all forms of violence — physical or mental, intentional or non-intentional — needs to be upheld by all governments and their branches in all contexts, including migration. Children and their families escaping from a situation of war and seeking refugee status should receive appropriate protection and humanitarian assistance in accordance with article 22 of the Convention and other relevant international human rights, as well as international humanitarian law.

36. The Committee is also concerned by the increasing use of detention of immigrant children and, in that regard, strongly urges all States parties to end that practice, which has negative impacts on the rights of children, including to health and education. It is further concerned at reports that, in 2015, thousands of unaccompanied children disappeared in Europe after registering with State authorities and may face greater risks of, inter alia, sexual exploitation and abuse. The Committee recommends that States parties should take appropriate measures to prevent such cases, including by ensuring that unaccompanied and separated children are properly identified; regularly inquiring as to their whereabouts; and conducting information campaigns that are age-appropriate, gender-sensitive and in a language and medium that can be understood by the child.

37. It is important to continue to integrate a child rights-based approach into the planning and implementation of child health policies, programmes and laws, including by applying the technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age (A/HRC/27/31). While there is some notable progress in the field of health, such as immunization coverage, and reduction of malnutrition, progress is sometimes uneven, inadequate or confronted with emerging issues. For instance, while immunization reportedly averts between 2 and 3 million deaths annually, an additional 1.5 million deaths could be averted if global immunization coverage improved. A large number of adolescents who suffer from mental health disorders, poor nutrition, substance abuse, HIV/AIDS and chronic illness lack access to critical prevention and care services. Recent health emergencies such as Ebola and the Zika virus, as well as environment-related causes and conditions, including exposure to environmental toxicants and air pollution, have continued to negatively affect the right to life, survival and development of children. Climate change is already having a negative impact on the well-being of millions of children, in particular owing to droughts, floods and severe weather events.

38. The need to ensure the full application of the provisions of the Convention and the Optional Protocols thereto to the digital environment and provide all stakeholders with important guidance for the realization of children's rights online is an even more pressing issue today than before. In particular, sexual exploitation online, which can take many forms, including the creation, publication and distribution of sexual abuse material (child pornography) continues to pose serious challenges for the protection of children. Among other issues, the lack of systematic implementation of the necessary legislation and subsequent action at the national level, forms of Internet governance that continue to prove somewhat fragile and uneven and the fact that the Internet is largely blind to age seem to compound the problem.

39. The Committee is concerned about the low pace of ratification of and accession to, as well as reporting under, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child

pornography. During the reporting period, only nine States ratified or acceded to the Optional Protocol on the involvement of children in armed conflict and five States ratified/acceded to the Optional Protocol on the sale of children, child prostitution and child pornography. It is a serious cause of concern for the Committee that 70 initial reports are still overdue for the Optional Protocol on the sale of children, child prostitution and child pornography and more than 50 for the Optional Protocol on the involvement of children in armed conflict. With respect to the Optional Protocol on a communications procedure, which entered into force in April 2014, the Committee notes that, despite the number of signatures standing at 50, the number of ratifications and accessions remains at 24.

III. Activities carried out under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure

40. Article 16 of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure provides that the Committee shall include in its report submitted every two years to the General Assembly a summary of its activities carried out under this Optional Protocol.

A. Action taken by the Committee in respect of issues arising under article 5 of the Optional Protocol

41. The Committee started receiving its first individual communications under article 5 of the Optional Protocol. At its sixty-ninth session, the Committee adopted by consensus an inadmissibility decision on communication No. 1/2014 (*A.H.A. v. Spain*). The decision is available through the Official Document System of the United Nations (http://documents.un.org/) under the symbol CRC/C/69/D/1/2014.

B. Action taken by the Committee in respect of issues arising under article 13 of the Optional Protocol

42. Since the entry into force of the Optional Protocol, the Committee has received two requests for inquiry. In relation to the submission received on 17 September 2015 and registered as No. 2015/1, the Committee was informed that an additional submission will be received from the source of information and hence its consideration has been postponed. In relation to the request for inquiry received on 12 November 2015 and registered as No. 2015/2, in January 2016, at its seventy-first session, the Committee took a decision to discontinue the request. The decision was transmitted to the source of information.

IV. Overview of the other activities of the Committee

A. Methods of work

1. Sessions in parallel chambers

43. In 2015, the Committee held two sessions in parallel chambers. The sixty-eighth session (January 2015) in parallel chambers was authorized by General Assembly resolution 67/167. The sixty-ninth session (May-June 2015) in parallel chambers was a result of General Assembly resolution 68/268, which allocated three additional weeks of

meeting time to the Committee. That allowed the Committee to reduce its backlog during the reporting period from 95 to 39 reports.

2. New rules of procedure and working methods

44. At its sixty-eighth session, the Committee revised its rules of procedure (CRC/C/4/Rev.4) in order to amend rule 17 on "Officers" and rule 23 on "Term of office".

45. At its seventieth session, the Committee adopted the working methods to deal with communications received under the Optional Protocol on a communications procedure, as well as the model form for filing a complaint.

3. General comments

46. At its sixty-seventh session, the Committee adopted the joint general comment No. 18 (2015) on harmful practices, developed together with the Committee on the Elimination of Discrimination against Women.

47. In addition, the Committee is continuing its work on the draft general comments on public budgets to realize the right of the child and on adolescents.

48. At its sixty-sixth session, the Committee decided to embark on the drafting of a new general comment on children in street situations. At its sixty-ninth session, the Committee decided to consider the elaboration of a new joint general comment, together with the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, on children in the context of international migration.

4. Informal meetings with States

49. At its sixty-ninth session, on 3 June 2015, the Committee held its seventh informal meeting with States in Palais des Nations. Fifty-two States attended. At the same session, the Committee decided to hold the informal meeting with States regularly every year during its January session. The eighth informal meeting with States was thus held on 27 January 2016. More than seventy States attended.

5. Press releases

50. During the reporting period, the Committee issued 18 press releases, 9 alone and 9 jointly with other treaty bodies or special procedures. Press releases were issued to mark the Universal Children's Day (20 November), the awarding of the Nobel Peace Prize to children rights' defenders and the twenty-fifth anniversary of the Convention. The Committee issued a press release on the entry into force of the Optional Protocol on a communications procedure and the ratification of the Convention by Somalia and South Sudan. Other press releases focused on specific situations related to children's rights in Australia, the Central African Republic, the European Union, Nigeria, Pakistan and Saudi Arabia, as well as Gaza. All press releases issued by the Committee are available from www.ohchr.org/EN/NewsEvents/Pages/newssearch.aspx?MID=Committ_Rights_Child.

5. Introduction meeting for new members

51. On 15 May 2015, the Office of the United Nations High Commissioner for Human Rights held an orientation meeting for the four newly elected members. The current and the former Chairs of the Committee contributed to the orientation programme.

B. International cooperation and solidarity for the implementation of the Convention

1. Cooperation with United Nations and other competent bodies

52. During the period covered by the present report, the Committee pursued its active cooperation with United Nations bodies, specialized agencies and other competent bodies. It held meetings with the United Nations agencies and bodies and other competent bodies and representatives listed below:

(a) United Nations agencies and bodies:

- UNICEF: On 27 January 2016, the Committee held its fifth biennial meeting with UNICEF, which included representatives from UNICEF Headquarters, as well as Regional and Deputy Regional Directors, to seek ways to enhance the existing cooperation between the Committee and UNICEF (seventy-first session). In addition, the Committee was briefed by UNICEF on: the development of a guide for governments on the Committee's general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, and issues concerning child rights education and access to justice (seventieth session); and on a practical tool for budget tracking for children (seventy-first session);
- Office of the High Commissioner for Human Rights: the Committee held regular meetings with the Office to discuss the outcome of the treaty body strengthening process. It also held a meeting with the High Commissioner during the sixty-eighth session and received briefings during the reporting period on human rights indicators, the process for monitoring and reviewing the Sustainable Development Goals, updates regarding the Human Rights Council and issues related to children's rights.

(b) Others:

- Executive Committee of Child Rights Connect (sixty-sixth, sixty-eighth, sixty-ninth and seventieth sessions)
- Consortium for Street Children, for a presentation on children in street situations (sixty-sixth session)
- Terres des Hommes, Save the Children and UNICEF, for a presentation on minimum standards for child protection in humanitarian action (sixty-sixth session)
- Conflict Dynamics International, for a presentation on the Children in Armed Conflict Accountability Initiative (sixty-sixth session)
- Interagency Panel on Juvenile Justice (sixty-sixth session)
- Representatives of the Global Campaign to End Child Immigration Detention (sixty-sixth session)
- Child Helpline International, for the launch of the report "Improving the world for children" (sixty-seventh session)
- Professor Jaap Doek, on behalf of ECPAT International, for a presentation on the terminology and semantics project (sixty-eighth session)
- StopIGM.org, for a presentation on intersex genital mutilations (sixty-eighth session)

- Women's Refugee Commission and the Office of the United Nations High Commissioner for Refugees, for a briefing on the Global Campaign for Equal Nationality Rights (sixty-ninth session)
- Centre for Reproductive Rights, for a briefing on children's evolving capacity in the context of sexual and reproductive information and services (sixty-ninth session)
- Child Rights Information Network, for a presentation of a paper on the right to information (sixty-ninth session)
- Global Initiative to End All Corporal Punishment of Children (sixty-ninth session)
- Global Initiative for Economic, Social and Cultural Rights, for a briefing on privatization of education (sixty-ninth session)
- Defence for Children International, for a briefing on the global study on children deprived of liberty (seventieth session)
- Tilburg University and Institute on Statelessness and Inclusion, for a briefing on statelessness (seventieth session)
- Global Reference Group on Accountability to Child Rights and Well-being, to discuss indicators for children's rights (seventieth session)
- International Baby Food Action Network, FIAN International and UNICEF, for a presentation on breastfeeding and infant-feeding (seventy-first session)
- Defence for Children International, for the launch of the guide on monitoring child detention facilities (seventy-first session)
- Non-governmental organizations' Working group on Children and Violence against Children, for a briefing on the Sustainable Development Goals and violence against children (seventy-first session)
- Child Rights Information Network, for the launch of the Access to Justice project (seventy-first session).

53. With respect to cooperation with other United Nations human rights mechanisms and special procedures, the Committee held meetings with the following experts:

- Committee on Enforced Disappearances, in a joint session to celebrate Estela de Carlotto, Chair of the Grandmothers of the Plaza de Mayo (sixty-seventh session)
- Committee on the Rights of Persons with Disabilities, in a side event on participation of children with intellectual disabilities (sixty-seventh session)
- Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (sixty-seventh session)
- Special Representative of the Secretary-General for Children and Armed Conflict, Leila Zerrougui (sixty-seventh session)
- Special Rapporteur on the sale of children, child prostitution and child pornography, Maud de Boer-Buquicchio (sixty-seventh session)
- Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, Başkut Tuncak (sixty-ninth session)
- Members of the Committee on Economic, Social and Cultural Rights, in the context of a meeting organized by the Geneva Academy of International Humanitarian Law and Human Rights (seventieth session)

- Special Representative of the Secretary-General on Violence against Children, Marta Santos Pais (seventieth session)
- Independent Expert on human rights and international solidarity, Virginia Dandan (seventieth session).

2. Participation in United Nations and other relevant meetings

54. In 2014, the Chair of the Committee, Ms. Sandberg, participated in the twenty-sixth meeting of the Chairs of the human rights treaty bodies in Geneva. In 2015, the Chair of the Committee, Mr. Mezmur, represented the Committee at the twenty-seventh meeting of the Chairs of the human rights treaty bodies, which took place in San José, Costa Rica.

55. The Chair of the Committee, Ms. Sandberg, was one of the speakers at the high-level session of the sixty-ninth session of the General Assembly dedicated to the twenty-fifth anniversary of the Convention, held at United Nations Headquarters in New York on 20 November 2014.

56. Members of the Committee participated in a variety of meetings at the international, regional and national levels, where issues relevant to the rights of the child were raised.

3. Other related activities

57. The Committee recommended in its previous biennial report[5] that the Secretary-General be requested, through the General Assembly, to conduct an in-depth international study on children deprived of their liberty, in accordance with article 45 (c) of the Convention on the Rights of the Child. In that regard, the General Assembly in its resolution 69/157 on the rights of the child, invited the Secretary-General to commission an in-depth global study on children deprived of liberty, a request further reaffirmed by the General Assembly in its resolution 70/137.

58. The Committee participates in the task force established to support the preparation of the global study and looks forward to the materialization and expediting of the necessary resource mobilization and cooperation by States and other stakeholders to enable the development of that important study.

C. General thematic discussions

59. In accordance with rule 79 of its rules of procedure, the Committee holds a day of general discussion on the second Friday of its September session. At its sixty-seventh session, on 12 September 2014, the thematic discussion was dedicated to digital media and children's rights. The day of general discussion was attended by over 200 participants, including States, civil society actors in the areas of child rights and of digital media, and child representatives. A summary of the discussions, the list of participants and the set of related recommendations (for the full text of the recommendations, see annex III to the present report) adopted by the Committee at its sixty-eighth session can be found on the web page of the Committee: www.ohchr.org/EN/HRBodies/CRC/Pages/Discussion2014.aspx.

[5] *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 41* (A/69/41), para. 48 and annex II.

60. At its sixty-second session, the Committee decided to hold days of general discussion every two years. Therefore, its next day of general discussion, on children's rights and the environment, will be held on 23 September 2016 at the Palais des Nations, Geneva.

Annexes

Annex I

Membership of the Committee on the Rights of the Child

Name of member	*Country of nationality*
Suzanne **Aho Assouma***	Togo
Amal **Aldoseri***	Bahrain
Hynd **Ayoubi Idrissi****	Morocco
Jorge **Cardona Llorens****	Spain
Bernard **Gastaud****	Monaco
Peter **Gurán***	Slovakia
Olga A. **Khazova***	Russian Federation
Hatem **Kotrane****	Tunisia
Gehad **Madi****	Egypt
Benyam **Mezmur***	Ethiopia
Yasmeen **Muhamad Shariff***	Malaysia
Clarence **Nelson****	Samoa
Wanderlino **Nogueira Neto***	Brazil
Sara **Oviedo Fierro***	Ecuador
José Angel **Rodríguez Reyes****	Bolivarian Republic of Venezuela
Kirsten **Sandberg****	Norway
Maria Rita **Parsi***	Italy
Renate **Winter***	Austria

* Term expires 28 February 2017.
** Term expires 28 February 2019.

Bureau of the Committee on the Rights of the Child 2015-2017

Chair	Mr. Mezmur
Vice-Chair	Ms. Aldoseri
Vice-Chair	Ms. Muhamad Shariff
Vice-Chair	Ms. Oviedo Fierro
Vice-Chair	Ms. Winter
Rapporteur	Ms. Sandberg

Annex II

Decision No. 11

Follow-up of resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system

At its 1928th meeting, the Committee, taking note of General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system and of the outcome of the meeting of the twenty-sixth annual meeting of the Chairs of the human rights treaty bodies decided to:

1. *Adopt* in principle a simplified reporting procedure and to offer that optional procedure to States parties in 2016, having first reduced the backlog of reports awaiting consideration in 2015;

2. *Follow* the format of concluding observations proposed by the meeting of the Chairs and to work to reduce the word length of concluding observations by 20 per cent from the current average length by the end of 2015;

3. *Appoint* a member of the Committee as rapporteur on reprisals to deal with allegations of reprisals against individuals and groups on the basis of their cooperation with the Committee.

[*Adopted on 19 September 2014*]

Annex III

Recommendations from the 2014 day of general discussion on children's rights and digital media

1. In the light of the objective for the day of general discussion of it being a forum for raising awareness about, and discussing, children's rights in order to identify issues for States to take account of in their policies and programmes, as well as to provide guidance to other relevant actors on the respect, promotion and fulfilment of children's rights in the context of digital media, the Committee issues the following recommendations. The recommendations below, while addressed to the primary duty bearers — States — also require the active engagement and participation of other stakeholders, including families, schools, civil society and the private sector.

General recommendations, including legislation, policies and coordination

2. States should recognize the importance of access to, and use of, digital media and information and communications technologies for children and their potential to promote all children's rights, in particular the rights to freedom of expression, access to appropriate information, participation and education, as well as rest, leisure, play, recreational activities, cultural life and the arts. In addition, States should ensure that equal and safe access to digital media and information and communications technologies, including the Internet, is integrated in the post-2015 development agenda.

3. States should adopt and effectively implement comprehensive human rights-based laws and policies which integrate children's access to digital media and information and communications technologies and ensure the full protection under the Convention and its Optional Protocols when using digital media and information and communications technologies. In the light of the evolving nature of the issue, States should also ensure regular monitoring of implementation and assessment of legislation and policies.

4. States are called upon to promote and facilitate regular public debates and the active involvement of all stakeholders, in particular children, parents and other caretakers, professionals working with or for children, including in the educational field, civil society and information and communications technology and other relevant industries, before adopting draft laws, policies, strategies and programmes and when setting up services for child victims. It is furthermore recommended that States effectively evaluate the impact of digital media and information and communications technology-related policies, programmes, practices and decisions on the rights, well-being and development of all children. States should thereby ensure that the fundamental principles of the Convention, including the right to non-discrimination, the right to have the child's best interests taken as a primary consideration, the right to life, survival and development and children's right to express their views in matters affecting them, are effectively prioritized and meaningfully implemented.

5. States should adopt a national coordinating framework with a clear mandate and sufficient authority to coordinate all activities related to children's rights and digital media and information and communications technologies at cross-sectoral, national, regional and local levels and facilitate international cooperation. States should also ensure that said coordinating body is provided with the necessary human, technical and financial resources for its effective operation.

Data collection and research, monitoring and evaluation of efforts

6. States should undertake research, data collection and analysis on an ongoing basis to better understand how children access and use digital and social media, as well as their impact on children's lives. The data should cover both risks and opportunities for children and should be disaggregated by age, sex, geographic location, socioeconomic background, disability, membership of a minority and/or indigenous group, ethnic origin or any other category considered appropriate in order to facilitate analysis of the situation of all children, particularly those in situations of vulnerability.

7. The Committee recommends that the data be used for establishing baselines against which progress can be measured, for the formulation and evaluation of relevant laws, policies, programmes and projects and for the monitoring of their implementation. States should also ensure safeguards for guaranteeing that these data are not used by authorities to encourage censorship or any other political and economic interference.

8. The Committee furthermore recommends that States promote the exchange and sharing of ideas, information, experiences and good practices, including through the creation of platforms, with all stakeholders, especially children, at the national, regional and international level.

Independent monitoring

9. States should empower and provide adequate resources to national institutions responsible for guaranteeing human rights (such as national human rights institutions, ombudspersons or equality bodies) to allow them to play a key role in monitoring compliance with the Convention and the Optional Protocols thereto. Such an institution should have a specific mandate to address the rights of children in relation to digital media and information and communications technologies, and be able to receive, investigate and address complaints by children in a child-sensitive manner, ensure the privacy and protection of victims, and undertake monitoring, follow-up and verification activities for child victims.

Cooperation with civil society

10. The Committee recognizes the important role played by non-governmental organizations (NGOs) in ensuring access of children to information and communications technologies and digital media and protecting their rights when using these means. It recommends that States systematically involve all NGOs working in the field of digital media and children's rights in the development, implementation, monitoring and evaluation of relevant laws, policies and programmes, as well as in research and data collection.

Awareness-raising and training

11. The Committee recommends that States carry out age appropriate awareness-raising programmes to sensitize the public in general and children in particular to opportunities and risks, including unintended consequences of self-generated content, relating to the use of information and communications technologies and digital media. States should distribute relevant information material tailored specifically to children, and tailored to specific age-groups, as well as to parents and other caregivers, and all professionals working with or for children, and seek close cooperation with civil society in the organization and implementation of awareness-raising programmes.

12. The Committee further recommends that States provide adequate training and support for children to ensure the development of their digital and social literacy skills with a view to enhancing a responsible use of digital media and information and communications technologies, as well as their capacity to avoid risks and protect

themselves from harm. States should also provide adequate training and support to parents and other caregivers, as well as professionals working with and for children including in the educational field, to enhance their technical skills, inform them about risks and potential harm, learn about how children use technology and be able to support children in using digital media and information and communications technologies in a responsible and safe manner.

Children's rights and the business sector

13. In the light of the Committee's general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights, as well as other international norms and standards in that area, States should ensure a clear and predictable legal and regulatory environment that requires information and communications technologies and other relevant industries operating in the State party to respect children's rights. States should also establish monitoring mechanisms for the investigation and redress of children's rights violations, with a view to improving accountability of information and communications technology and other relevant companies, as well as strengthen regulatory agencies' responsibility for the development of standards relevant to children's rights and information and communications technologies.

14. The Committee recommends that States require businesses to undertake child-rights due diligence with a view to identifying, preventing and mitigating their impact on children's rights when using digital media and information and communications technologies. Moreover, States should encourage and facilitate the development of voluntary, self-regulatory, professional and ethical guidelines and standards of conduct and other initiatives, such as the development of technical solutions promoting online safety and the adoption of child-friendly terms and conditions for the use of information and communications technologies and digital media, as well as developing age-appropriate content, by information and communications technology and other relevant industries to ensure that their practices are in full compliance with the Convention and the Optional Protocols thereto and other international human rights norms and standards. In addition, it is recommended that States ensure space for discussion and cooperation with information and communications technology and other relevant industry.

Non-discrimination

15. States should ensure that all children within their jurisdiction, in particular girls, children with disabilities, children living in remote areas, children living in poverty, children belonging to minorities, indigenous children, children living in street situations, children living in institutions and other children in vulnerable and marginalized situations, have access to digital media and information and communications technologies without discrimination. In particular, the Committee recommends that States inter alia:

(a) Take measures to improve the coverage of Internet infrastructure to include rural communities;

(b) Promote inclusive accessibility to digital media and information and communications technologies and affordable design of technology and digital content, taking into consideration age, and ensure that intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by children to cultural materials, in particular children with disabilities and children belonging to minorities or indigenous groups;

(c) Promote linguistic and cultural diversity of digital content;

(d) Intensify efforts to ensure the effective elimination of all forms of discrimination against girls and address gender stereotypes and social norms that limit girls' access and use of technology, including through awareness-raising programmes;

(e) Provide assistance to schools and communities to cover the costs of computer equipment and connectivity and promote the development of low-cost technical solutions;

(f) Include in non-discrimination laws, policies, strategies and programmes aspects dealing with access for children to digital media and information and communications technologies, in particular children belonging to most vulnerable and disadvantaged groups. In that regard, the Committee recommends that States seek technical cooperation from, among others, the United Nations Children's Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization, the International Telecommunications Union and the Office of the United Nations High Commissioner for Human Rights.

Respect for the views of the child

16. States should ensure that children are consulted in order to take into account their views and experiences in developing laws, policies and programmes and in the setting up of services, and other measures relating to digital media and information and communications technologies. That should include girls as well as boys, and children in vulnerable or marginalized situations. Children should also be actively engaged in the design and implementation of initiatives aimed at fostering safe use of digital media and information and communications technologies, including online safety. In particular, States are encouraged to establish online spaces, where children can express their views and opinions in a responsible and safe manner.

Rights to freedom of expression, access to appropriate information, freedom of association and peaceful assembly

17. The Committee calls upon States to revise their national laws, regulations and policies that limit children's rights to freedom of expression, access to appropriate information as well as association and peaceful assembly in any setting, including the online environment, to align them with the Convention and other international human rights norms and standards.

18. States should furthermore actively promote children's rights to freedom of expression, access to appropriate information and association and peaceful assembly in all settings, including the online environment. In particular, States should promote the creation of channels for child-led activism, as well as educational and recreational content for children of different ages, including content produced by children themselves.

Right to privacy

19. States should guarantee the protection of children's rights to privacy in relation to digital media and information and communications technologies and develop effective safeguards against abuse without unduly restricting the full enjoyment of their rights laid down under the Convention. States should also develop and strengthen awareness-raising programmes for children on privacy risks related to the use of digital media and information and communications technologies and regarding self-generated content.

20. The Committee moreover recommends that States ensure that all children have meaningful and child-friendly information about how their data is being gathered, stored, used and potentially shared with others. In this regard, States should ensure that age-appropriate privacy settings, with clear information and warnings, are available for children using digital media and information and communications technologies.

Access to appropriate information

21. States should encourage the mass media, including private media, to disseminate information and materials of social and cultural benefit to the child, for example regarding healthy lifestyles.

Protection against harm, including violence, exploitation and abuse of children

22. States should address the risks posed by digital media and information and communications technologies to the safety of children, including online harassment, sexual exploitation of children, access to violent and sexual content, grooming and self-generated sexual content, through holistic strategies that ensure the full enjoyment of their rights laid down under the Convention and the Optional Protocols thereto. States should thereby always ensure a balance between promoting the opportunities provided by digital media and information and communications technologies, and protecting children from harm. In particular, States should:

(a) Develop and strengthen programmes aimed at preventing harm and tackling risks posed by digital media and information and communications technologies, including by involving children, former victims, relevant NGOs and the information and communications technology and other relevant industries;

(b) Provide children with age-appropriate information regarding safety when using digital media and information and communications technologies, so they can manage the risks and know where to go for help;

(c) Coordinate with the information and communications technology industry so that it develops and puts in place adequate measures to protect children from violent and inappropriate material and other risks posed by digital media and information and communications technologies to children;

(d) Further strengthen awareness-raising and education programmes for children on preventing and responding to risks when they use digital media and information and communications technologies, with the involvement of children, including through the development of child-friendly information material;

(e) Provide adequate and continuous training for law enforcement personnel, members of the judiciary and professionals working with and for children with the aim to enhance their technical skills;

(f) Ensure accessible, safe, confidential, age-appropriate, child-friendly and effective reporting channels, such as child hotlines, for reporting violations of children's rights in relation to digital media and information and communications technologies;

(g) Provide safe, child-friendly and confidential points of contact for children to report self-generated sexual content to a relevant authority;

(h) Provide fast and effective procedures for removal of prejudicial or harmful material involving children;

(i) Strengthen identification of victims as well as detection, investigation, prosecution and punishment of those responsible for any of the offences covered under the Convention and the Optional Protocols thereto;

(j) Strengthen coordination between all actors and sectors in the protection system ensuring referral of cases and effective support to children victims;

(k) Promote and facilitate international and regional coordination and collaboration to ensure effective enforcement of the applicable legal framework.

Effective remedies and reparation, and assistance to victims

23. States should ensure access to effective remedies for child victims, including assistance to seek prompt and appropriate reparation for the harm suffered, through providing State compensation where appropriate. States should also provide adequate support and assistance for child victims of violations related to digital media and information and communications technologies, including comprehensive services to ensure the child's full recovery and reintegration, and prevent revictimization of child victims.

Family environment

24. States should provide training, assistance and support services to parents, other caretakers and legal guardians to enable them to guide their children to a responsible and safe use of digital media and information and communications technologies, with respect for their evolving capacities. Training and support should not be limited to technical competence but should also include support in the performance of their general child-rearing responsibilities.

Children with disabilities

25. The Committee recommends that States develop, implement and monitor legislation and policies to ensure the accessibility of digital media and information and communications technologies for children with disabilities including by incorporating accessibility requirements in policies related to the private sector, international cooperation and public procurement. In that context, States should ensure that public funds are used solely to promote the enjoyment and use of digital media and information and communications technologies and explicitly avoid creating or perpetuating discrimination resulting from inaccessible services and products. Moreover, States should promote the use of digital media and information and communications technologies to reinforce the creation of inclusive communities and education systems and to combat the dissemination of negative stereotypes, including by actively consulting with children with disabilities. The Committee also recommends that States ratify the Convention on the Rights of Persons with Disabilities and the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled.

Education

26. The Committee recommends that States promote the development of digital literacy as part of the basic education curricula in accordance with children's evolving capacities. Training and education should not be limited to technical competence but should also include awareness of ethical principles and values and teach children skills to behave responsibly when they engage and relate to each other online, and to respond to risks appropriately and safely (social literacy). In addition, the Committee recommends that States ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescent girls and boys.

Periodic reporting under the Convention on the Rights of the Child and the Optional Protocols thereto

27. The Committee recommends that States parties systematically include information on children's rights and digital media and information and communications technologies in their periodic reports under the Convention and the Optional Protocols thereto.

Conclusion

28. The Committee appreciates the valuable input provided by all participants both during the discussions or as written submissions for the day of general discussion. The Committee urges all stakeholders to take account of the recommendations above. All children should be able to safely access information and communications technologies and digital media, and be empowered to fully participate, express themselves, seek information and enjoy all the rights enshrined in the Convention on the Rights of the Child and the Optional Protocols thereto without discrimination of any kind.

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